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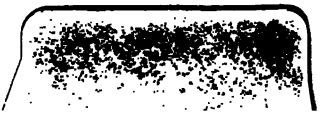

AUTOBIOGRAPHY

OF

LIEUT.-GEN. WINFIELD SCOTT.

Winfield Scott.

(Aged 37)

MEMOIRS

OF

LIEUT.-GENERAL SCOTT, LL.D.

Written by Himself.

IN TWO VOLUMES.

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INTRODUCTION.

THE English language is singularly barren of autobiographies or memoirs by leading actors in the public events of their times. Statesmen, diplomatists, and warriors on land and water, who have made or moulded the fortunes of England or the United States, have nearly all, in this respect, failed in their duty to posterity and themselves. Their speeches, state papers, despatches, reports, letters, and orders remain, indeed, fragmentary monuments of their patriotic deeds; but the Republican Ludlow, the Roundhead Whitelocke, Lord Clarendon, Bishop Burnet, and Sir William Temple,* five contemporaries, alone, of the Anglo-

* Dean Swift, the literary executor of Temple, cites, in the preface to a part of his author's memoirs, an absurd objection that had been made to

Saxon race, are exceptions, unless we add Swift, a sixth contemporary. This friend and counsellor of St. John and Harley, brought them into power (and, according to Dr. Johnson, dictated public opinion to England), mainly by a pamphlet—*The Conduct of the Allies*—that broke down the Godolphin ministry, supported by that eminent man, Lord Somers, and the wonderful series of Marlborough's victories. The masterly narrative—*The Last Four Years of Queen Anne*, seems to complete Swift's claim to a place in the small category of makers and writers of history.*

another part, earlier published, viz.: that the "author speaks too much of himself," and replies: "I believe those who make [this] criticism do not well consider the nature of memoirs. 'Tis to the French (if I mistake not) we chiefly owe that manner of writing, and Sir W. T. is not only the first, but, I believe, the only Englishman (at least of any consequence) who has ever attempted it. The best French memoirs are writ by such persons as were principal actors in those transactions they pretend to relate, whether of wars or negotiations. Those of Sir W. T. are of the same nature." Hence the necessity of naming himself at every turn—otherwise his narrative would have been like Shakspeare's *Prince of Denmark*—the part of Hamlet left out!

* It is remarkable that the *Vanity of Human Wishes* has, merely to illustrate the undesirableness of old age, hitched in a couplet the great master of the sword and master of the pen mentioned in the text:

> "From Marlborough's eyes the streams of dotage flow,
> And Swift expires a driv'ler and a show."

It was otherwise with very many eminent men of antiquity. Moses and Joshua, among the sacred writers, belonged to the category of great public leaders. Xenophon saved the ten thousand Greeks who were in the expedition of Cyrus, and left us a most graceful narrative of his services. Cato, the censor, drew up the history of the first and second Punic wars, in which he served. Sylla, who passed through unparalleled scenes of blood and horror, found time to write twenty-two *Books of Commentaries*, and those of Cæsar, having reached the art of printing, cannot now fail to live forever. Polybius, too, was an actor in many of the scenes we have from his historic pen. Coming down to modern times, France and Germany abound in autobiographies and memoirs (*pour servir à l'histoire*) from the hands of the makers of history—Sully, De Thou, De Retz, St. Simon, Villars, Frederick the Great, the two Ségurs (father and son), Gohier, Napoleon, Suchet, Savary, St. Cyr, Chateaubriand, Lamartine, Talleyrand, etc., etc., etc.

If, however, such writers had the great advantage of a personal knowledge of their respective subjects, they were, on the other hand, beset, from the beginning to the end, with some counterbalancing difficul-

ties: 1. The danger of self-neglect, in the way of just praise or of just reproach, and 2. Unworthy partialities and jealousies for or against their co-actors.

"I place my name," says Cardinal de Retz to a friend, "at the head of this work [Memoirs of his own times], in order to lay myself under the strongest obligation not to diminish and not to magnify the truth in anything. Vain-glory and false delicacy are the two rocks which the greater number of those who have written their own lives, have not been able to avoid. President de Thou, in the last generation, steered clear between them, and, among the ancients, Cæsar made no miscarriage. You, without doubt, will do me the justice to believe that I would not allege those great names, on an occasion personal to myself, if sincerity were not the sole virtue in which we are permitted—nay commanded—to equal the most illustrious examples."

In Dr. Middleton's Life of Cicero, the embarrassments of that great orator and writer, on a similar occasion, are thus presented:

"In this year, also, Cicero wrote that celebrated letter* to Lucceius, in which he presses him to attempt

* Epis. Fam. 12.

the history of his transactions. Lucceius was a man of eminent learning and abilities, and had just finished the history of the Italic and Marian civil wars; with intent to carry it down through his own times, and, in the general relation, to include, as he had promised, a particular account of Cicero's acts; but Cicero, who was pleased with his style and manner of writing, labors to engage him, in this letter, to postpone the design of his continued history, and enter directly on that separate period, from the beginning of his consulship to his restoration, comprehending Catiline's conspiracy and his own exile. He observes, 'that this short interval was distinguished with such a variety of incidents, and unexpected turns of fortune, as furnished the happiest materials both to the skill of the writer and the entertainment of the reader; that when an author's attention was confined to a single and select subject, he was more capable of adorning it and displaying his talents, than in the wide and diffusive field of general history. But if he did not think the facts themselves worth the pains of adorning, that he would yet allow so much to friendship, to affection, and even to that favor which he had so laudably disclaimed in his prefaces, as not to confine himself scrupulously to

the strict laws of history and the rules of truth. That, if he would undertake it, he would supply him with some rough memoirs, or commentaries, for the foundation of his work; if not, that he himself should be forced to do what many had done before him—*write his own life*—a task liable to many exceptions and difficulties; where a man would necessarily be restrained by modesty, on the one hand, or partiality, on the other, either from blaming or praising himself so much as he deserved.'"

Pliny, the younger, another accomplished orator and writer—unwilling to take the risk of portraying himself—also, but in terms rather less unmanly, invoked the historic aid of a friend.

In a letter* to Tacitus, he says: "I strongly presage (and I am persuaded I shall not be deceived) that your histories will be immortal. I ingenuously own, therefore, I so much the more earnestly wish to find a place in them. If we are generally careful to have our persons represented by the best artists, ought we not to desire that our actions may be related and celebrated by an author of your distinguished abilities? In view of this, I acquaint you with the following

* Letter 33, Book vii.

affair, which, though it cannot have escaped your attention, as it is mentioned in the journals of the public, still I acquaint you with it, that you may be the more sensible how agreeable it will be to me, that this action, greatly heightened by the hazard which attended it, should receive an additional lustre from the testimony of so bright a genius." (Pliny here gives some rough notes of the public transaction in question, with a speech of his which settled the matter, and thus proceeds:) "This short speech was extremely well received by those who were present; as it soon afterward got abroad and was mentioned by everybody with general applause. The late emperor, Nerva (who, though at that time in a private station, yet interested himself in every meritorious action which concerned the public), wrote an admirable letter to me upon the occasion, wherein he not only congratulated me, but the age, which had produced an example so much in the spirit (as he was pleased to call it) of better days. But, whatever the fact be, it is in your power to heighten and spread the lustre of it: though far am I from desiring you would, in the least, exceed the bounds of reality. History ought to be guided by strict truth; and worthy actions require nothing more.

"Happy I deem those to be whom the gods have distinguished with the abilities either of performing such actions as are worthy of being related, or of relating them in a manner worthy of being read; but doubly happy are they who are blessed with both of those uncommon endowments."—PLINY (*to Tacitus*), *Book* vi., *Letter* 16.

In general terms, applicable to all *contemporary* history and biography, but, mainly, with special reference to men of letters, Dr. Johnson, in his Life of Addison, finely touches the same difficulties:

"The necessity of complying with times, and of sparing persons, is the great impediment of biography. History may be formed from permanent monuments and records; but lives can only be written from personal knowledge, which is growing every day less, and in a short time is lost forever. What is known can seldom be immediately told; and when it might be told, it is no longer known. The delicate features of the mind, the nice discriminations of character, and the minute peculiarities of conduct, are soon obliterated; and it is surely better that caprice, obstinacy, frolic, and folly, however they might delight in the description, should be silently forgotten, than that, by

wanton merriment and unseasonable detection, a pang should be given to a widow, a daughter, a brother, or a friend. As the process of these narratives is now bringing me among my contemporaries, I begin to feel myself 'walking upon ashes under which the fire is not yet extinguished,' and coming to the time of which it will be proper rather to say 'nothing that is false, than all that is true.'" *

In the *Edinburgh Review*, January, 1850, on Lamartine's History of the French Revolution of 1848—when a Government was extemporized, with the author at its head—there is a passage so much to my purpose that I cannot resist placing it in this introduction:

"The most valuable materials for the history of great events are undoubtedly afforded by the autobiographies of those who took a distinguished part in them. They perceived the importance of details which a bystander would have neglected. They knew what was proposed and what was decided at secret

* In these reserves, Johnson evidently had in view mere authors, *not* public functionaries—persons taking upon themselves high offices, and, therefore, amenable to historic exposure and censure for great personal defects and miscarriages.

councils; they can tell us what they themselves did, and, what is often very different, what they intended. Such narratives, however, are comparatively rare: And those which we possess have generally been *written* long after the events—when the recollections of the narrator had lost their first vividness; while their *publication* is often delayed still longer, until the contemporaries of the writer have passed away,—perhaps until he has passed away himself,—so that much of the restraint, which the liability to denial and exposure would have imposed on his inventions or on his suppressions, has been removed. The memoirs of M. de Talleyrand, for example—which we are only to have twenty years hence, will not be received with the confidence which they would have deserved if they had been published in his lifetime, or even immediately after his death: And one of the great merits of M. de Lamartine's work is its freedom from these objections. It must have been written within a few months of the events which it relates; and is published while almost every other actor in that great drama can protest against its statements or supply its omissions. On the other hand, of course, this proximity has its inconveniences. M. de Lamartine cannot feel as impartial-

ly as if his work had treated of times long since passed; or speak as boldly as if it had been intended to be posthumous. In following the course of this narrative, we accordingly often wish for names where we find mere designations, and for details where we find only general statements. Much is obviously concealed from us which it would have been useful to know, but dangerous to tell. Undeserved praise, too, appears to be frequently awarded; and deserved blame to be still more frequently withheld. These objections, however, are far more than counterbalanced by the freshness and vivacity of the narrative: a freshness and vivacity which even as great a poet as M. de Lamartine could not have given to it, if he had written it ten years later."

In all narratives, the art of selecting, rejecting, and grouping incidents, is one of difficult attainment, and if not attained, length, tediousness, and confusion are inevitable. Truth may be lost under a cloud of details and multiplicity of words, as well as by material suppressions and inventions. Indeed, the size of a book, on any given subject, will always be in the inverse ratio of the talent and the pains bestowed upon it. In a brilliant essay on history in general—*Edinburgh*

Review, May, 1828*—there are some fine passages on this subject. I can extract but one: "If history were written thus [giving, without judicious selection, all that was done and said] the Bodleian library would not contain the transactions of a week. What is told in the fullest and most accurate annals, bears an infinitely small proportion to what is suppressed. The difference between the copious work of Clarendon and the account of the civil wars in the abridgment of Goldsmith, vanishes, when compared with the immense mass of facts respecting which both are equally silent."

I have drawn up this chart—marked with great names and solemn monitions—to present just characteristics of autobiography for my own guidance—perhaps, condemnation, in case of failure—in the execution of the task (already too long delayed) indicated in the title.

Napoleon, on his abdication, turned to the wrecks of his old battalions about him, and said: "I will write the history of our campaigns." Vindictively recalled from Mexico, but not till the enemy had been crushed and a peace dictated, Napoleon's declaration

* By Macaulay, but omitted, with others, in his edition of his Essays, London, 1843.

and memoirs recurred to me, and I resolved, in my humble sphere, to write also. But circumstances (first bad health and next incessant occupations at Washington, etc.) have, till now, suspended my purpose. In the meantime I have carefully abstained from reading a line published on the Mexican campaign, lest I might be provoked to seize the pen before having sufficient strength or leisure for literary composition.

It will be seen that I aspire not to the dignity of a historian, but simply offer contemporary memoirs for the use of some future Prescott or Macaulay; and making no pretension to the gifts and graces of any of the great writers I have cited, I feel myself, on the other hand, to be superior to a few of them, in impartiality, candor, and firmness.

It is comparatively easy to build up a big book—always an evil. It is only necessary to pile line upon line, document on document, Pelion on Ossa—and bulk is obtained. An author's difficulties, both of head and hand, as intimated above, lie in judicious culling and arranging—the *compression* of materials. My labors are now to be commenced, and in trying to fill the outline I have sketched, I hope not to lose myself in verbosity, on the one hand, nor fail to give neces-

sary development to interesting events on the other. As Macaulay has remarked, the Reverend Dr. Nares, professor of modern history in the university of Oxford, has attained the full Brobdignagian dimensions in the Life of Lord Burleigh, Elizabeth's treasurer: two thousand closely printed quarto pages, fifteen hundred inches in cubic measure, and sixty pounds avoirdupois weight! Montesquieu's *Lettres Persanes*, the smallest of books found in libraries, is, perhaps, the more perfect by reason of its smallness. Abounding in wit, humor, and satire, as well as in profound views of morality and politics, it, and Nares's work, though in different paths, are opposite illustrations of the apothegm already quoted.

Undertaking an humbler subject, though one of numerous incidents, I shall attempt the *juste milieu* attained by Voltaire in the Life of Charles XII. of Sweden; by Southey in the Life of Nelson, and by Bell in the Life of Canning. To be considered an approach to such models in the single power of compression, would satisfy the ambition of my unpractised hand.

WINFIELD SCOTT.

West Point, N. Y., *July* 5, 1863.

MEMOIRS, ETC.

CHAPTER I.

BIRTH—PARENTAGE—SCHOOLS—COLLEGE.

According to the family Bible, I was born June 13, 1786, on the farm which I inherited, some fourteen miles from Petersburg, Virginia. My parents, William Scott and Ann Mason, both natives of the same neighborhood, intermarried in 1780. William's father, a Scotchman, of the clan Buccleuch, was the younger son of a small landed proprietor, and taking part with the Pretender, escaped from the field of Culloden (1746) to Bristol, whence, by the aid of a merchant and kinsman, he was smuggled on board of

a ship bound to Virginia, and buried himself in that colony before 1747, the date of the general amnesty.

The fugitive crossed the Atlantic with nothing but a small purse borrowed from his Bristol cousin, and a good stock of Latin, Greek, and Scotch jurisprudence. He had now to study a new code—the English common law; but soon attained considerable eminence at the bar; married late, and, in a year or two, died.

In my sixth year, I lost my father—a gallant lieutenant and captain in the Revolutionary army, and a successful farmer. Happily, my dear mother was spared to me eleven years longer. And if, in my now protracted career, I have achieved anything worthy of being written; anything that my countrymen are likely to honor in the next century—it is from the lessons of that admirable parent that I derived the inspiration.* Perhaps filial piety may be excused for adding

* I still often recall, with pain, that I once disobeyed my mother—a pain mitigated, however, by the remembrance of the profitable lesson that ensued. Being, on a Sunday morning, in my seventh year, ordered to get ready for church, I, in a freak, ran off and tried to hide myself. Pursued and brought back by a servant, a switch was sent for. Seeing that condign punishment was imminent, and that the instrument was a shoot torn from a Lombardy poplar, the culprit luckily quoted this verse from St. Matthew: "Every tree that bringeth not forth good fruit [should] be

a few sentences more on the parents and collateral kindred of this lady—the daughter of Daniel Mason and Elizabeth his wife, the only child of John *Winfield*, probably the wealthiest man in the colony. The latter survived his daughter, and dying intestate, about 1774, *Winfield* Mason, the brother of Mrs. Ann Scott, took, by descent, as the law then stood in favor of the eldest male heir, the whole of the landed estate of the grandfather—besides sharing equally in the personal property with his two sisters. I, his namesake, stood nearly from my birth, the principal devisee, in an uncancelled will that I read after my uncle's death, of nearly the whole of that large estate; but marriage and the birth of a child, very properly, abrogate a testament of a prior date; and Winfield Mason, though he married very late in life, left several children. His wife was the daughter of a near neighbor and very remarkable man—*Dr. Greenway*, who well deserves a separate memoir from an abler pen; but of

hewn down and cast into the fire." The quotation was from the regular lesson I had read to my mother a short time before. The rod was spared; but the pious mother seized the occasion to make her son comprehend that, beginning with the sin of disobedience, I, myself, might soon become a tree fit to be hewn down, etc.

whom it is not known that even the briefest sketch has ever been published, although he has now been dead some seventy years.* His descendants being without ambition or particular distinction, and early dispersed, the sources of a full biography in this case are, probably, forever lost. A rescue from entire oblivion is, however, here attempted upon a boyish memory that has rarely failed; for I perfectly recall the white head and florid face of the doctor as late as 1793, when he must have been fourscore and ten, and in whose library, in the time of the son, I spent many profitable hours. From the family and neighborhood traditions, annotations on books, and unpublished writings—it, however, may be safely said that James Greenway was born just within the English line, on the borders of Scotland, and inherited his father's trade —that of a weaver. Genius, however, stimulated by ambition, is difficult to suppress. The weaver boy, in a free school, over the border, contrived to make himself acquainted with the Greek grammar, and to become a better Latin scholar—languages which, with French and Italian, he cultivated, laboriously, through

* He may be noticed in Barton's *Elements of Botany*, and perhaps by European *savans*.

the greater part of his long life, as was evident from notes on his Homer, Horace, Pliny the naturalist, Rabelais, Dante, etc., etc.—all originals. He early migrated to Virginia, where he wrought at his humble craft while preparing for a license to practise medicine, by which, combined with extensive milling operations, he amassed an ample fortune. His professional reputation brought him patients from a wide circumference, but, as he became rich, he gradually withdrew from the practice of medicine, and gave himself up to the culture of polite literature and natural history, particularly botany, and left a *hortus siccus* of some forty folio volumes, in which all the more interesting plants, etc., of Virginia and North Carolina, were described in classical English and Latin. His success, in that department and others of science, procured for him honorary memberships in several European Societies, and an extensive correspondence with Linnæus, which, with a presented portrait of the great Swedish naturalist, were long preserved in the family library. Confident memory, at this distance of time and place, can add only a few other particulars to illustrate the doctor's great versatility of parts and pride in founding a family.

Living some twenty-odd miles from the nearest market town (Petersburg), no musical teacher could be hired by him. Hence, when the first daughter approached her teens, the doctor, after possessing himself of a guitar and harpsichord (pianos were yet unknown) had first to instruct himself in the use of their strings, which was the less difficult as he was, earlier, a scientific flutist and violinist; next he had to impart the same lesson to that daughter, laying her under the injunction not to marry until she had done as much for the next sister. In this way the whole of a numerous family were made highly musical—the father being the instructer also of the only son in the use of the flute and violin.

My school and college days were marked by no extraordinary success and no particular failure. There was no want of apprehension; but the charms of idleness or pleasure often prevailed over the pride of acquisition. Still, if I were not always the leader of classes, I was never far behind, and, as a summary of my whole life, it may be added, that a certain love of letters—sometimes amounting to a passion—has kept my mind in constant health and in the way of progress. One of my earlier schoolmasters—James Hargrave—a

Quaker, labored hard to curb my passions and to mould my character to usefulness and virtue. This was in my twelfth and thirteenth years, at boarding school. It was in defence of this excellent man, of very small stature, that the pupil first discovered, some six years later, that he already possessed a great power of arm; for, turning a corner, at a public gathering, he found the non-combatant, on a charge of running (as county land surveyor) a false dividing line, undergoing a severe handling by a half-drunken bully. A single blow brought him to the ground, stunned, and nearly sobered. Being allowed to rise, he advanced upon his assailant. The Quaker, true to his principles, jumped between, and finding his friend the more belligerent party, seized and so encumbered him, that the bully partially hit him several times, when, by a sudden movement, the Quaker was thrown off and the bully again floored. The noise caused a rush of the crowd to the scene, where learning the original cowardly attack, it cost the Quaker and his pupil their greatest effort to save the bully from further punishment and perhaps death.*

* On visiting home after the War of 1812–'15, I met my friend, Hargrave, at the scene of the above affray. The greeting, on one side, was quakerist: "Friend Winfield, I always told thee not to fight; but as thou wouldst fight, I am glad that thou were'nt beaten."

Another and a more distinguished teacher—*James Ogilvie*, a Scotchman, rich in physical and intellectual gifts—is entitled to notice at the hands of a pupil.

Mr. Ogilvie professed to have a special call to the instruction of youth, and always urged upon his pupils to give two or three years each to the same pursuit on the reciprocal obligation of imparting a great benefit, and for the further reason that no one so thoroughly masters a subject as he who obliges himself to teach it methodically.

His first high school was on the Rappahannock; the last in Richmond. I was a year with him in the latter, just before entering college. Here were taught, besides the ancient classics, rhetoric, Scotch metaphysics, logic, mathematics, and political economy—several of them by lecture. Most of the pupils were approaching manhood; but as too much was attempted within a limited time, by republican short cuts to knowledge, it is feared that all who entered sciolists, left the school without the ballast of learning.

Mr. O., always eccentric, being an opium eater, often exhibited, before the doses became too frequent, phases of preternatural brightness. His last few years in America, before returning home to claim a peerage,

were spent as an itinerant lecturer. Though a welcome guest everywhere, he took up collections to defray travelling expenses. He thus declaimed, from a carefully prepared *rostrum*, several brilliant compositions of his own, formed on the model of Cicero, with other illusory accompaniments—the dress, the gestures, the organ swell, and dying fall—of the great Roman orator. They were magnificent specimens of art; only the art was too conspicuous.

The student, now waxing fast into manhood, passed, in 1805, to William and Mary College, where, instead of relying on the superficialities of his high schools, he should have entered years before, and have worked his way regularly through. This blunder has been felt all his life. The branches of knowledge selected for his new studies were chemistry, natural and experimental philosophy, and the common law. These he pursued with some eagerness and success; as also civil and international law—the bar being looked to as a profession, and, at the same time, the usual road to political advancement.

This was the spring tide of infidelity in many parts of Europe and America. At school and college, most bright boys, of that day, affected to regard religion as

base superstition, or gross hypocrisy—such was the fashion. Bishop Madison, President of William and Mary College, contributed not a little, within his sphere, by injudicious management, to the prevalent evil. It was his pious care to denounce to the new comers certain writings of Hume, Voltaire, Godwin, Helvetius, etc., etc., then generally in the hands of seniors. These writings the good bishop represented as sirens, made perfectly seductive by the charms of rhetoric. Curiosity was thus excited. Each green youth became impatient to try his strength with so much fascination; to taste the forbidden fruit, and, if necessary, to buy knowledge at whatever cost.

CHAPTER II.

LAW STUDIES—THE BAR—TRIAL OF BURR.

Being my own master, since the death of my mother, I next transferred myself, in my nineteenth year, from college to the law office, in Petersburg, of David Robinson, Esquire, a very learned scholar and barrister, originally imported from Scotland, as a tutor, by my grandfather. The young man, born a generation too late to come under the ferule of the family pedagogue, was now affectionately claimed as a law pupil * by this

* Mr. Robinson, in my time, had but two other students in his office—Thomas Ruffin and John F. May. The first of these and the autobiographer did not chance to meet from 1806 to 1853, a period of forty-seven years, when Mr. R., Chief Justice of North Carolina, came to New York as a lay member of the General Protestant Episcopal Convention. The greeting between them was boyishly enthusiastic. The chief justice, at the table of the soldier, said: "Friend Scott, it is not a little remarkable, that of the three law students, in the same office, in 1805 and 1806—all yet in good preservation—our friend May has long been at the head of the bar in

veteran of the bar, who, living, down to 1833, in the practice of all the charities of life toward high and low, within his sphere, is likely to have continued to him a great professional longevity by his able reports of the debates in the Virginia Convention on the adoption of the Federal Constitution, and the trial for high treason of ex-Vice-President Aaron Burr.

I had just ridden my first circuit, as an incipient man of law, when, like a vast multitude of others, including the flower of the land, I hastened up to Richmond to witness a scene of the highest interest. Aaron Burr, of the city of New York, a distinguished officer of the Revolution;—at the bar and in politics, first the rival, and then, in a duel, the murderer of Alexander Hamilton;—an ex-Vice-President of the United States, and, before, an equal competitor with Thomas Jefferson in many anxious ballotings in the House of Repre-

Southern Virginia; I long at the head of the bench in North Carolina, and you, the youngest, long at the head of the United States Army!" The last that I saw of this most excellent man, always highly conservative, he was a member of the Peace Convention that met in Washington in the spring of 1861. Had his sentiments, the same as Crittenden's, prevailed, we should now (July, 1863) have in the thirty-four States fewer by several millions of widows, orphans, cripples, bankrupts, and deep mourners to sadden the land. Judge May, fortunately for him, died before the commencement of this horrid war.

sentatives for the Presidency—was now to be tried for high treason, and, if found guilty, to receive a traitor's doom. This was the great central figure below the bench. There he stood, in the hands of power, on the brink of danger, as composed, as immovable, as one of Canova's living marbles. Party spirit, out of court, had taken possession of the case, the factions having changed sides. It was President Jefferson who directed and animated the prosecution, and hence every Republican clamored for execution. Of course, the Federalists, forgetting Hamilton—the murdered Hamilton, eminently qualified to be considered great among the greatest of any age or country—compacted themselves on the other side. The counsel for the defence were equal to the great occasion. Luther Martin, a signer of the Declaration of Independence, was, in himself, another Viner's abridgment of the law in twenty folio volumes. The keen, the accomplished John Wickham was always ready with learning, eloquence, wit, logic, or sarcasm, as the case required. Few men ever entered an arena so well armed. Benjamin Botts, just emerging from the provincial bar, also made his mark at this trial. With little gesture, and scarce a figure of speech—conforming to Swift's notion of a good

style—"proper words in proper places"—Mr. B. scarcely stood second to anybody in general power. Shrinking from no difficulty, his severe analysis shattered and dissolved the most knarled subjects, and then, with a driving logic, he sent home the main point in debate to the conviction of all hearers. With a fine, manly head, and soft manners in private, there was, when he rose to speak, an imposing solemnity on his brow, and a fearful earnestness of look—such as more recently distinguished the Scotch Presbyterian minister, Edward Irving, in his London Chapel.* And yet there was another brilliant star in this forensic galaxy. William Wirt, who in his previous limited circle had not been without briefs and admirers, now stood for the first time on a stage worthy of his genius and ambition. Appointed coadjutor to Mr. Hay, the United States' District Attorney, the burden of the prosecution and the defence of the prosecutor (including the President) became his burdens. The necessities of the case were incessant and great. In the preliminaries of the trial—in the light skirmishing of many weeks which preceded the main shock of battle, he held his own

* Mr. Botts, the most intrepid of men, perished at the burning of the Richmond theatre, assisting the feeble to escape, Christmas week, 1811.

well. Nor did he fail in any part of the trial, though as yet far from that depth in the law and mastery in argument which so greatly distinguished his later career. At every turn and effort, however, he caused himself to be felt and respected; but at certain times, when it was required to call back fugitive attention, in order to another march in the argument, Mr. Wirt could soar, for the moment, high above his subject, and by bursts of rhetoric and fancy captivate all hearers. These quickening passages in his oratory will ever command the admiration of the young; nor can age always find the heart to contemn them.

There were other counsel, on both sides, but of past, or local standing, adding nothing to the aggregate interest of the scene. Not so of many eminent men, spectators from a distance—as Commodore Truxtun, General Eaton, of Derne memory; General Jackson (witness); Washington Irving,* etc., etc.; besides distinguished Virginians—John Randolph, foreman, and Littleton Waller Tazewell, member, of the grand jury; William B. Giles, John Taylor, of Caroline, etc., etc.

* It was there that I first made the acquaintance of this charming man and distinguished author—an agreeable acquaintance continued through England, France, and America, down to his death.

But the interest of the trial, eminent as was the standing of the defendant; eminent as was the forensic talent engaged; brilliant as were the surroundings, and great as were the passions excited—the hatreds, hopes, and fears of party—the interest would have been less than half, but that the majesty of the law was, on the great occasion, nobly represented and sustained by John Marshall, Chief Justice of the United States. His was the master spirit of the scene.

To Congress, at the next meeting, the President submitted the case, that it might be seen, as he said, whether the acquittal of Colonel Burr of high treason was the result of a "defect in the testimony, in the law, or *in the administration of the law.*" The latter was understood to be his opinion. The calm judgment of the bar, however, has now long been, that though the crime had been committed, the prosecution broke down in its legal proofs. This is to be regretted—not that the thirst for blood was not slaked on the occasion; but because, there never having been an execution in the United States for the highest of crimes, our people were, in 1832 and 1861, still untaught a most needful lesson—that *playing at treason is a dangerous game!* Hence, to threaten treason has become an ordinary

party device in nominating presidents, and in factious debates even on the floors of Congress; hence, nullification in 1832–'33, and hence the present (1863) mighty rebellion.*

* It is a striking fact that three of our ex-Vice-Presidents—Aaron Burr, J. C. Calhoun, and J. C. Breckinridge—became, each in his day, a leader in treason.

CHAPTER III.

CHANGE OF PROFESSION—ADVENTURE AS A VOLUNTEER —RETURN TO THE BAR—ENTERS THE ARMY.

It was as a newly fledged lawyer, looking on the trial just described as a fine professional study, that a different career suddenly dawned upon me. In a single night I became a soldier.

Burr's trial commenced May 22, 1807. A month later the outrage was committed by the British frigate Leopard, on the United States frigate Chesapeake, in our waters near the capes of Virginia. The whole country was fired with indignation. July 2, President Jefferson issued a proclamation, interdicting the use of our harbors and rivers to all British war vessels. Volunteers were called for to enforce the interdict—that is,

to prevent landings to obtain fresh water, provisions, etc. The proclamation reached Richmond late in an evening. I had not before belonged to any military organization; but early the next morning, at the parade of the Petersburg troop of cavalry (which had tendered its services in advance), I was in their ranks, mounted and fully equipped for the field, having travelled twenty-five miles in the night, obtained the uniform of a tall, absent trooper, and bought the extra fine charger under me. From that, my first parade, the troop marched off for the scene of its duties.

The route marches and encampments of volunteers have, unfortunately, become too familiar to hundreds of thousands of our people of the present day, to be worth describing in this place. One incident, however, occurred to me in the expedition, which came very near being of great national importance.

I belonged to a detached camp, in a charming grove, some two miles from Linn Haven Bay, opposite to the anchorage of the British squadron. There lay Sir Thomas Hardy, a favorite of Nelson, with several line-of-battle ships in sullen grandeur. Toward the camp, the coast was studded with downs (*dunes*, sand hills), behind which our small pickets were posted. One of

these was commanded by me as *lance* corporal (that is, corporal for the nonce), when, learning one night that an expedition from the squadron had gone up a neighboring creek, I hastened with my guard to intercept its return. At the proper point a charge was made, and the whole crew, two midshipmen and six oarsmen, made prisoners. This was the more easily done, it is true, as they were all unarmed, and by the ebb of the tide the boat could scarcely be pushed through the mud. The picket being relieved, and returning to the pleasant camp next morning, the ex-corporal, jealous as Hotspur of his prisoners, had the exclusive charge of them conceded to him. The midshipmen sat on his right and left at a sylvan table, around which the whole troop—consisting of young lawyers, doctors, and merchants, like so many officers—took their meals and hobnobbed together. Of course, at dinner, extra wine and porter were allowed the corporal for his charge, who, astonished, inquired if all American soldiers lived like gentlemen?

This incident, which gave life to the camp, was regarded as quite an "untoward event" in Washington. The Federalists were numerous and bitter in opposition, and as a republic is never prepared for war, perhaps a

little temporizing was necessary. Hence, notwithstanding the long series of British wrongs, capped by the recent outrage, Mr. Jefferson hesitated to take open and direct measures of retaliation. After deliberation and delay, orders came to restore the prisoners to Sir Thomas Hardy, with the imbecile admonition, usual in such cases: *Take care not to do so again.*

In February, 1816, I met, in London, at Lord Holland's hospitable board, one of those midshipmen, then Captain Fox. By his request he was brought up and presented. He began by apologizing for supposing that the major-general before him could be the Corporal Scott whose prisoner he had once been; but added, "the name, height, etc., etc., seem to exclude doubt." On being assured on the subject, a most cordial greeting and intimacy ensued between the parties.

The special outrage on the Chesapeake frigate was now in a train of settlement. The prospect of war seemed at an end, as the smaller wrongs would, it was supposed, follow the course of the greater. The young soldier had heard the bugle and the drum. It was the music that awoke ambition. But the new occupation was gone. He had to fall back on his original profession.

I left Virginia in October, 1807, intending to establish myself in the practice of the law at Charleston, South Carolina. I took Columbia in the way, to petition the Legislature to dispense me from the twelve months' previous residence required of non-native applicants for admission to the bar. The law makers in South Carolina, of 1807, composed the most dignified as well as the most intelligent body of the kind then in the Union. Among these were William Lowndes, the most accomplished statesman, generally, of his day—not merely in wisdom, but also in temper and powers of conciliation. Langdon Cheves was already an able debater, much confided in by the House and his people at home. William Drayton, mild, pensive, persuasive, was high in the law, and philosophy of legislation. Caton Simmons, quite young, with a wide scope of intellect, had ready eloquence and an indomitable spirit. There was also another Lowndes and two Deases—all men of mark; and every member named, with scores of others, conspicuous for good manners, good morals, and, at least, a leaven of genuine chivalry. John C. Calhoun was yet at home, in the early practice of the law.

I spent many weeks agreeably and profitably at

Columbia, including the period of that session; but my petition failed from the want of time.

I next made arrangements for in-door practice in Charleston, till time should qualify me to appear in court, and went down to that city in company with, and under the patronage of a friend, a man of very remarkable gifts and virtues, Judge Wilds, a native of the State, yet under forty, and high on the bench. So fine a head and stature have rarely been seen. To genius and learning was added, in his case, a temper sweet as that of a child. He it was who, in sentencing a master that had wilfully killed a slave, to a fine of a hundred pounds, currency—the penalty limited by an old statute,—wept tears of bitterness that he could not substitute the gallows, and threw out such a flood of indignant eloquence against the barbarity of the law, that it was by the next Legislature unanimously repealed. But, alas! "whom the gods love, die young."

I arrived at Charleston Christmas eve, 1807.* I

* A very few days earlier there came into port two slave ships filled with native Africans, the last that ever were entered at an American custom house, as the trade ceased with the year 1807. The cargoes, promptly landed, appeared to have been well cared for on the ocean, where but few had died. All were fitly clothed, lodged, and fed. A few, wasted by sickness, were placed in an infirmary, but fearing that it was intended to pre-

there learned that the prospect of hostilities with England had, at Washington, flared up again. Only the affair of the Leopard and Chesapeake, as it turned out, had been atoned—leaving the prior British wrongs, and many new cases of the same class, to rankle in the hearts of Americans. Hence it was believed, almost universally, at Charleston, that the embargo on all American shipping, just laid, was but the immediate precursor of a war manifesto on the part of Congress. I, strong in that opinion, promptly abandoned my new law arrangements and embarked for Washington, *via* New York, to seek a commission in some new marching regiment. A bill, indeed, authorizing the trebling of

pare them to be eaten, they starved themselves to death. All believed that they would rise from the grave in their native land. Several Cuban planters, visited on their estates, gave illustrations of a like superstition. One of them, who cultivated sugar on the coast, had a mountain infirmary to which he sent, out of a purchase of some forty new arrivals from Africa, seven adults, men and women, who were in feeble health. Not doubting they were intended for their master's table, all hung themselves the first night. Africans are as fond of jewelry as the *nouveau riche* among ourselves. Thus, a young woman, selected from a cargo, was kindly treated and instructed as their personal servant, by the mother and daughter of another family. Very soon the ingrate pagan stole the ladies' jewels, covered herself with them, and applied the fatal cord, in the firm belief that she would soon revive in her own African paradise, with all the stolen ornaments upon her!

our regular forces, had followed closely the embargo act; but again, after a few weeks of excitement, the advocates of peace at any price seemed to gain the ascendant. In the mean time *the would be a soldier* had been received with favor by the President * and Secretary of War, on presentation by his neighbor and friend, the Hon. William B. Giles, and a captaincy promised, if the augmentation bill should become a law.

* On waiting on Mr. Jefferson, we found with him Dr. Mitchell, of New York, and Dr. Walter Jones, of Virginia (two members of Congress), making three incessant talkers. Mr. Giles was also distinguished for his colloquial powers. In a *sitting* of thirty minutes, but two monologues were delivered—the other two personages being in a state of forced silence, but making efforts to get the word. Swift, who, according to Dr. Johnson, though captivated by the attention of steady listeners, always made regular pauses in conversation, for the benefit of interlocutors, has had but few imitators in this politeness. Mr. Jefferson, one of those silenced, at length turned to the autobiographer: "Well young man, what have you seen in Washington? Have you visited the Capitol? Whom have you heard speak?" "I was, sir, in the House yesterday, and heard a part of Barent Gardenier's six hours' speech on the embargo." This was enough. Mr. G., a member from the city of New York, was bitter in opposition, and Mr. J. knew he had handled him with severity in that speech. Suddenly interrupting Mitchell, the colleague of Gardenier, the president said: "Doctor, I have just thought of an object to which to compare the House of Representatives. Sir, it is like the chimneys to our dwellings; it carries off the smoke of party, which might otherwise stifle the nation." Mr. Jefferson was now in his second term of office, and not a candidate for a third.

Early in March, 1808, the war party being on the descending scale, and the spring term of the courts of Virginia about to commence, *the postponed soldier* returned to Petersburg, and began again the same circuit he had made the year before.

The great leader of the Petersburg circuit was, at that day, George Keith Taylor, an ex-judge of a new circuit bench created in February, 1801, and abolished by the Republicans in 1802, the members of which were called *midnight judges*, having been nominated and confirmed within the last hour of Mr. Adams's administration. Judge Taylor, the simplest, the most amiable and benevolent of men, had a giant's strength, both in the halls of justice and legislation, but was always most of a giant on the side of freedom, mercy, charity. He it was, the first in Christendom, who embodied the principles of Beccaria in the criminal code of a state,* and founded a penitentiary, the comple-

* Sir Samuel Romilly, in England, published a pamphlet in favor of a like amelioration in 1787, and followed up the subject, in Parliament, from the time he took his seat (in 1806) to his death in 1818. Sir Robert Peel, as Home Secretary, beginning in 1822, caused several bills to be passed which finally effected the object—some twenty-eight years after the amelioration in Virginia. It is worthy of remark that the principle of this reform is urged with great force in the *Rambler*, No. 114, of April, 1751,

ment of that enlightened measure; and he it was, himself, a slaveholder, who, in the great suits of the time, brought by slaves for the recovery of freedom, without fee in hand or in expectancy, always stepped forward their honored champion and victor.

It is due to Virginia, which had slavery forced upon her against her protests, to give a slight sketch of one of those trials. By law: 1. The plaintiffs were permitted to sue *in forma pauperis*, which exempted them from all taxes and fees to the State and the officers of the court. 2. They had to prove that their ancestress, Hannah, was a free woman, in this case an Indian. This was done by several very aged witnesses, who remembered her, and swore that she was always called an Indian, and had the peculiar marks of the race; and 3. That they, the plaintiffs, were the descendants, through females, of that woman. Tradition was allowed to supply this link in the proof of each case. It being established that the ancestress was a free woman,

and Beccaria's book was not published till 1764. Beccaria was himself a periodical essayist, having established the *Caffe*, on the plan of the *Spectator*, at Milan, 1764. Was he a reader of the *Rambler?* The *Rambler* was translated into Italian, under the title of *Il Vagabondo;* but in what year is not ascertained.

that is, an Indian, and all presumptions in courts are on the side of freedom, the court next devolved on the defendants (masters) the burden of showing that though an Indian, Hannah had been captured in war and sold into slavery, during a certain two years when it was lawful so to deal with prisoners. (Such was the Spanish law for more than two hundred years.) Here the defendants broke down. Let it be added that, besides the counsel for the negroes, the judge, the clerk of the court, the sheriff, and every juryman at the trial, were all slaveholders.

I had a slight connection with this interesting case. My brother held a number of the plaintiffs, his coachman, Frank, being the leader of the whole. On the approach of the trial, I, the guest of my brother at the time, filled up the subpœnas for Frank, who, to serve them and to attend the court, called on his master for a horse, with money to pay expenses, which were furnished. On his success, Frank proposed to remain with his late master, on moderate wages, in consideration of the maintenance of some of the family who could not work, and did remain till death separated them.

I find a most pleasurable emotion in recalling a a visit to Judge T.'s bedroom on the circuit, to beg

advice on a critical point in a law paper I had in my hand; to remember how readily the fatigued judge, obese and lethargic, stopped his night toilet, and, in the kindest manner—which a life is not long enough to forget—gave all the information needed. And this great and good man also died young—under forty-five.

At length the commission of captain of light, or flying artillery came to me, dated May 3, 1808. I recruited my company in Petersburg and Richmond in the course of a few months, and next was ordered, with it, to Norfolk, to be embarked for New Orleans.

CHAPTER IV.

FOUR YEARS' VACILLATION BETWEEN PEACE AND WAR—THE BAR AND THE SWORD.

FEBRUARY 4, 1809, I embarked with my company for New Orleans, in a clump of a ship, half rotten, and with a master so ignorant that he did not know of the passage among the Bahama Islands called the *Hole in the Wall.* Hence, we had to sail around the Island of Cuba (nearly doubling the passage), and arrived at the mouth of the Mississippi (the Balize) in thirty-five days, where the ship lost her rudder on the bar. This accident causing a further delay, we did not reach New Orleans till April 1.

The excitement that caused the augmentation of the army the year before, like that which led to the

embargo, soon subsided, to rise and fall again and again in the next four years. So great was the calm in the summer of 1809 that I once more turned my mind toward civil pursuits, and sailed for Virginia. Before my resignation had been definitely accepted by the War Department, I heard that grave charges would be brought against me if I dared to return to the army of the Lower Mississippi. This was decisive. At once I resolved to face my accusers. Accordingly, I rejoined the main army, then at Washington, near Natchez, in November.

The army of that day, including its general staff, the three old and the nine new regiments, presented no pleasing aspect. The old officers had, very generally, sunk into either sloth, ignorance, or habits of intemperate drinking. Among the honorable exceptions were: 1. Macomb, who won the battle of Plattsburg, and died, in 1841, a major-general and general-in-chief of the army. 2. Swift, who aided in the general organizing of the new army in 1812, took an active part in the field the next year, and gained the rank of brigadier-general. 3. McRee, of North Carolina, who won the rank of colonel in the field, and died in 1832—an officer of rare merit. 4. Wood, of New York, often

distinguished in the field, and brevetted; was killed in the sortie from Fort Erie, September, 1814, after attaining the rank of lieutenant-colonel, with another brevet then due him. 5. Totten, distinguished at Queenstown, October, 1812, and who won the rank of brigadier-general at the siege of Vera Cruz. He is now (1863) twenty-odd years the able chief of his corps. 6. Thayer, now long a colonel, brevetted for distinguished conduct and meritorious services in the War of 1812–'15, who, as superintendent from 1817 to 1833 of the Military Academy, gave development and great excellence to that institution—stamping upon it his own high character. The foregoing were all engineers. 7. Moses Porter, first distinguished as a sergeant of artillery at Mudfort (afterward Fort Mifflin), and in 1779 and the following campaigns as lieutenant and captain. He died in 1822 a brigadier-general, a rank won by gallant services in the War of 1812–'15, and though deficient in science, yet by his gallantry in front of the enemy, his great practical abilities in the laboratory and workshops, combined with fine soldierly habits and bearing, he made himself invaluable. 8. Colonel Burbeck, to some extent a compeer of Porter in both wars, also a brigadier-general in 1812, and

who had much merit of the same general character. 9. Captain (subsequently Brigadier) House. 10. Colonel Bomford, an engineer, but distinguished as an artillerist in the operations of the arsenals and machine shops. 11. Colonel James Gibson, killed in the sortie from Fort Erie. 12. Lieutenant-Colonel Heileman, died at Fort Drane in 1836. 13. Major George Armistead, distinguished in the defence of Fort McHenry (Baltimore) in 1814. 14, 15, 16, and 17. Majors John Sanders, George Peter, and M. P. Lomax, with Captain Samuel Spotts, artillerists, all with merit, more or less. Coming to the old infantry (1st and 2d regiments), but few officers are remembered worthy of particular notice. 18. Pike, then major, was made a brigadier-general in 1813, and soon after fell at the capture of York, Upper Canada, under Major-General Dearborn. 19. Gaines, then a captain, who won, as brigadier, the rank of major-general by the defence of Fort Erie in August, 1814. 20 and 21. William R. Boote, and Ninian Pinkney, who became colonels in the staff in 1813; and 22. William Lawrence, made lieutenant-colonel in 1814, for the defence of Fort Bowyer, on the Mobile. The general staff of the army of that day was small. 23. Colonel A. G. Nicoll was the respec-

table adjutant and inspector of the army; but, 24. William Linnard, long "military agent," without army rank, and only made quartermaster-general, with the rank of colonel, in 1813, was a public servant of the rarest merit in his way. For thirty-three years he made, at Philadelphia, all disbursements on account of the army (saving the monthly payments to troops), amounting to fifty-odd millions, without the loss of a cent, and at the smallest cost in storage, clerk hire, and other incidental expenses ever known. He personally performed double, if not treble, the amount of ordinary labor. His integrity, at his death in 1835, had long been proverbial. 25. Simeon Knight, paymaster, and who became colonel in 1813, was a good disbursing officer. 26 and 27. Surgeon Dennis Claude, M. D., and Surgeon Oliver H. Spencer, M. D., were eminent in their profession, and highly esteemed generally.

I will not here undertake to dissect, in like manner, the officers who entered the army with me in 1808 (and of whom my name alone remains, in 1863, on the Army Register). The labor would be great, and the interest to most readers small. It may, however, be safely said that many of the appointments were positively bad,

and a majority of the remainder indifferent. Party spirit of that day knew no bounds, and, of course, was blind to policy. Federalists were almost entirely excluded from selection, though great numbers were eager for the field, and in the New England and some other States, there were but very few educated Republicans. Hence the selections from those communities consisted mostly of coarse and ignorant men. In the other States, where there was no lack of educated men in the dominant party, the appointments consisted, generally, of swaggerers, dependants, decayed gentlemen, and others — "fit for nothing else," which always turned out *utterly unfit for any military purpose whatever.* These were the men, who, on the return of peace, became the "unscarred braggarts of the war," a heavy burden to the Government, and, as beggars, to the country. Such were the results of Mr. Jefferson's low estimate of, or rather contempt for, the military character, the consequence of the old hostility between him and the principal officers who achieved our independence. In 1808 the West Point Academy had graduated but few cadets — nearly all of whom are specially mentioned above as meritorious; for a booby sent thither, say at the age of 16, 17, or even 19—and

there are many such in every new batch—is, in his term of four years, duly manipulated, and, in most cases, polished, pointed, and sent to a regiment with a head upon his shoulders; whereas, if a booby be at once made a commissioned officer, the odds are great that he will live and die a booby. How infinitely unwise then, in a republic, to trust its safety and honor in battles, in a critical war like that impending over us in 1808, to imbeciles and ignoramuses! *

It has been stated that I rejoined the army in November, 1809. The officers were divided into two factions. Nearly all old in commission, and a majority of the appointments of 1808, were partisans of Brigadier-General Wilkinson, late commander on the Lower Mississippi. The remainder were the supporters of his successor, Brigadier-General Hampton. Wilkinson was

* The officers appointed to the large augmentations of the army in 1812 and 1813, by President Madison, were, from nearly the same reasons, of the same general character. President Lincoln, and Mr. Cameron, Secretary of War, accepting the assistance of experienced officers near them, made, at the beginning of the rebellion, many excellent selections of officers for the new regiments then authorized. President Jackson, in respect to the 2d Dragoons, raised in his time, and President Polk, in respect to the Rifle Regiment raised in 1846, followed the examples of 1808, 1812, and 1813. To the new regiments organized in the time of President Pierce, many indifferent officers were given.

the favorite of the new officers (all Republicans) because, as brother conspirator, he had turned *State's evidence* or "approver," against Burr, and Burr's treason had been prosecuted with zeal at the instance of Mr. Jefferson. Some of these partisans had heard me, in an excited conversation, the preceding summer, just before I sailed for the North, say that I knew, soon after the trial, from my friends, Mr. Randolph and Mr. Tazewell, as well as others, members of the grand jury, who found the bill of indictment against Burr, that nothing but the influence of Mr. Jefferson had saved Wilkinson from being included in the same indictment, and that I believed Wilkinson to have been equally a traitor with Burr. This was in New Orleans, the headquarters of Wilkinson, commanding the department. The expression of that belief was not only imprudent, but, no doubt, *at that time*, blamable; inasmuch as the 6th article of war enacts that "any officer, etc., who shall behave with contempt or disrespect toward his *commanding* officer, shall be punished," etc. But this was not the declaration that was now to be tried, but a similar one, made *after* my return to the army, when Wilkinson, though still in the neighborhood and the "superior," was no longer the

"*commanding* officer" (being off duty), but Hampton. Notwithstanding the reasonable distinction between *commanding* and *superior* officer, plainly recognized in the articles of war (see the 9th), and strongly urged in the defence (made without counsel), the court found me guilty of this specification, and pronounced my "conduct unofficer-like;" but not *ungentlemanly*, as was expressly and maliciously charged by the prosecutor. This officer, a violent partisan, who lived and died a reprobate—as a blind, to cover his instigator, trumped up another matter as the leading accusation, viz.: withholding money intended for the payment of the company; and this too was charged under the head of "*conduct unbecoming* an officer and gentleman." The case was simply this: that of some $400 remitted to me as captain for the payment of my company at Richmond, no sufficient receipts, through ignorance of forms, were taken for about $47, although the greater part of this small sum had also been advanced to the individuals to whom it was due, and the remaining insignificant fraction could not be paid over by reason of the intermediate deaths of some two or three of the men. Certainly nothing could have been more irregular than those payments; but the prescribed receipt

rolls had not been furnished, and of the whole company, including officers, not an individual had ever been present at a payment, or seen a roll used for the purpose. Moreover, captains are not the paymasters of their respective companies. The duty was wrongfully imposed. A proper paymaster should have been sent with the proper papers. The court found the accused guilty of this specification, and pronounced "his conduct unofficer-like," and sentenced him, on the two findings, to be suspended for twelve months. "*But* [*it was carefully added*] *the court have no hesitation in acquitting the accused of all fraudulent intentions in detaining the pay of his men.*" And further, the court recommended that nine months of the suspension should be remitted.

Those findings call for two general remarks: 1. The court, in each case, not only omit to add to "conduct unofficer-like" the attainting words "*and ungentlemanly;*" but in the only case where corruption or dishonor could have been involved, the court unhesitatingly and expressly acquit the accused of "all fraudulent intentions." Indeed, how could fraud have been intended, or perpetrated? The Treasury charged the captain with the whole sum he receipted

for. If he failed to return valid receipts for the whole amount, his pay would at once be stopped to balance the account. The Treasury, therefore, could not be defrauded, nor the unpaid men, as the Treasury would remain their debtor until the next visit of a regular paymaster. The imputation, therefore, was both stupid and malignant. 2. According to the 83d Article of War, any commissioned officer "convicted of conduct unbecoming an officer and a gentleman *shall* be dismissed the service"—leaving the court no discretion.

The earlier treason of Wilkinson, strongly suspected at the time, beginning about 1787, and continued many years after he was the commander of the United States' Army, is now fully established in Charles Gayarré's *History of Louisiana*, under *Spanish domination*, by Wilkinson's own letters, addressed to the governor of Louisiana, found in the archives of Madrid. See the 4th, 5th, 6th, and 7th chapters of the History *passim*, published by Redfield, New York, 1854. And for the manner of obtaining the letters,* see note to page 211. Mr. Gayarré was many years Secretary of State of Louisiana, and in 1835 elected to the

* They were copied under the eye of our minister (Hon. R. Saunders), by Mr. De Gayangos, for the legislature of Louisiana.

Senate of the United States, an honor he declined on account of bad health. Wilkinson's object was to separate the whole Western territory from the Union, to be added to the crown of Spain, whose pensioner he was down to 1795. Burr's scheme was a little different, in which Wilkinson undoubtedly participated for a time.

The autobiographer, in 1810, again returned to his home; became domesticated with his invaluable friend, Benjamin Watkins Leigh, of Petersburg, the worthy rival, at the bar, of George Keith Taylor; a distinguished member of the Senate of the United States, and long, before his death, the undisputed head of the law in Virginia. Conservative and moral in the highest degree, this gifted man, son of a distinguished Episcopal minister, and the pupil of another—Neilly Robertson—added to his high collegiate attainments no mean acquaintance with theology. In the evenings of a twelvemonth the parties read aloud to each other, with running comments, principally by the senior, perhaps, every choice passage in English literature. To those readings, and to his conversation and example, I have owed, in every struggle and triumph of life, great and pleasing obligations.

The following letter, which the writer had entirely forgotten till he saw it in print, alludes to this period —the period of his suspension.

From the *National Intelligencer* of February 25, 1855.

"PETERSBURG, *June*, 1811.

"DEAR SIR:

"I believe we have very little village news to give you, nor do I know what would please you in that way.

"*Of myself*—that personage who fills so large a space in every man's own imagination, and so small a one in the imagination of every other—I can say but little; perhaps less would please you more. Since my return to Virginia, my time has been passed in easy transitions from pleasure to study, from study to pleasure; in my gayety forgetting the student; in the student forgetting my gayety.* I have generally been in the office of my friend, Mr. Leigh, though not unmindful of the studies connected with my present profession; but you will easily conceive my military ardor has suffered abatement. Indeed, it is my design, as

* "If idle, be not solitary; if solitary, be not idle." An apothegm of Burton paraphrased by Johnson. My early motto.

soon as circumstances will permit, to throw the feather out of my cap and resume it in my hand. Yet, should war come at last, my enthusiasm will be rekindled; *and then, who knows but that I may yet write my history with my sword?*

"Yours, truly,

"WINFIELD SCOTT."

"LEWIS EDWARDS, ESQ., *Washington.*"

Mr. E., a friend, to whom the letter was addressed, a native of Massachusetts, had long resided in Petersburg, and was, in 1811, a principal officer in the War Department. It is understood that his son, a respectable resident of Washington, and for many years a most exemplary Commissioner of Pensions, communicated the original letter to the *National Intelligencer* on the occasion of the writer's promotion to the rank of lieutenant-general.

In the autumn of 1811 I rejoined the army, headquarters, Baton Rouge, by the land route, in a party of five, made up in South Carolina. In the preceding spring two detachments of troops were started—one from Fort Hawkins, on the Ocmulgee, then the Indian frontier, far within Georgia, and the other from

Baton Rouge, on the Mississippi, to cut through the intermediate forests a practical wagon road, to bridge the smaller streams, to construct scows, and to establish ferries (to be kept by Indians) on the rivers. The whole space, up to the eastern line of Louisiana, belonged to, and was occupied by, Creeks, Choctaws, and other Indians, excepting two small settlements of less, together, than a dozen white families, about Fort Stevens and Fort Stoddart, both on the Mobile. The party was a little delayed, near the middle of the route, waiting for the meeting of the two detachments of troops. The wagons of the troops, with a gig and light wagon * belonging to the travellers, were the first wheeled vehicles that ever rolled over that immense tract of country of some six hundred miles in width.

Crossing the Ocmulgee, the party encamped a day or two near the residence of Colonel Hawkins, an officer of merit in the army of the Revolution, much confided in by General Washington, an ex-member of Congress from North Carolina, under the Constitution, and then Agent of the United States for the

* This conveyed the tents, baggage, cooking utensils, and dry provisions of the travellers. Venison and turkeys were obtained by their rifles and purchase from the Indians. Corn (maize) for the horses, was also bought of the latter.

Creek Indians. This venerable functionary, with an extensive general library, in that savage country—still cultivating letters and science—did much to introduce schools and the mechanic arts among his red men, by whom he was regarded as a father. He gave me interesting information respecting the superstitions, laws, and customs of the Creeks—a small part of which, at least, seems worthy of record. In the administration of justice, in both civil and criminal cases, witnesses were sworn by their respective chiefs, to tell, first, all they positively *knew* of the cases under trial, and next to give their *belief* in respect to such particulars as did not directly strike their senses—circumstantial evidence. The chief of each then submitted to the judges (council) from his intimate knowledge of the witness, how much of the testimony, including *belief*, ought to be received, and how much rejected. This system of compurgation and purgation was said to have worked admirably.

But few incidents, worth being remembered, occurred during this tour of my service on the Lower Mississippi. At Baton Rouge, I was appointed special judge advocate for the trial of a commanding officer (a colonel) of considerable ability, for gross negligence

under the heads of discipline and administration. He had several times before, by dilatory pleas, defied or baffled justice; but on this occasion was brought to trial, convicted, and censured.

In the winter of 1811–'12 I was, from time to time, a member of Brigadier-General Hampton's staff, the commander of the Southern army, and much in New Orleans. Whilst in the city, there arrived, Christmas eve, from Pittsburg, in a cloud of smoke and steam, spitting fire, the first vessel of the kind that ever stemmed the currents of the mighty Western rivers. This steamer bore the name of a volcano—Etna or Vesuvius. Descending, she scarcely attracted the no tice of creoles, except that of a few, who thought her a flatboat, of unusual size, and accidentally on fire. But in a day or two, returning from a trip made to the English Turn, fifteen miles below the city, she aroused the curiosity and fears of the natives on the coast, when all broke off from their Christmas sports, and many on horseback, without saddles, and more on foot, some without hats, flew up to the city, with "bated breath and hair on end," to learn something of this water monster that could stem a current of six miles an hour without sails, poles, or oars!

The prospect of war being again faint, I spent, about this period, some hours daily, in reviewing my Domat, Pothier, etc., in order to be prepared for the bar of New Orleans, ruled by the civil law. But, early in February (the mails at that time moved very slowly) news arrived that Congress had, January 11, 1812, added twenty-five thousand men to the army. The eyes of all embryo heroes were at once turned upon Washington and the British North American provinces. A declaration of hostilities on our part, however, was still withheld, till, at length, when the time for action seemed, certainly, to be at hand, Brigadier-General Hampton, with two of his suite—Captain Scott and Lieutenant C. K. Gardner (subsequently a staff colonel of considerable abilities in the field and in the bureau)—embarked, May 20, 1812, at New Orleans for Washington, *via* Baltimore. At that season a more stormy and tedious passage, between the two cities, was, probably, never known. But long as it was, it was most fortunate for the ship and passengers, particularly the three army officers, that it was not lengthened two hours more; for, as we entered the capes of Virginia, we had to pass close to a British frigate, lying off and on the bar. Standing on our

course, in less than an hour we met a Hampton pilot boat under a cloud of canvas, going out to sea. This was the 20th of June, and that boat, it was subsequently known, was the bearer of despatches from the British Minister (Mr. Mansfield) at Washington, to say that Congress had declared war, two days before, against his country. Of this fact our pilot, shipped far out at sea, was, of course, ignorant; and the master of the Hampton boat, on a trial for treason, was acquitted on the ground that he knew nothing of the war, and nothing of the contents of the despatch he delivered to the frigate.

What a happy escape for me! Had the New Orleans ship been captured, I might, as a prisoner, have chafed and been forgotten, for months—perhaps years—in a British prison!

Off North Point, some sixteen miles from Baltimore, the packet got aground, when, such was the extreme impatience for news, that several passengers, I among them, landed, to walk, or to find our way to the city as we might.

CHAPTER V.

WAR DECLARED—DOUBLE PROMOTION—MARCH TO CANADA.

At the end of the fourth mile we came upon a stated militia meeting, the commander of which had just received the Declaration of War, the Manifesto, etc. Being in half uniform, and fired with the great news, I became the hero of the occasion. Mounted on a table, I was made to read the Declaration of War in the midst of the most enthusiastic shouts and cheers. This earned for me at once the offer of a seat in a double gig to Baltimore. But to me, this, the first day of the war, came very near being also the last; for my new friend, the driver, being drunk with the sentiment of the occasion, or the potations at the sylvan barbacue, overturned the gig twice, each time at the great peril of limbs and necks.

Thanks to my stars and the assumption of the reins, Baltimore was reached, in the dark, June 21, 1812, where I (a captain) was made perfectly happy by learning that a double promotion awaited my arrival at Washington. About the sixth in preparation for the field, among the old officers of the army, and a lieutenant-colonel in rank, at the age of twenty-six, with a hot war before me—seemed to leave nothing to be desired but the continued favor of Providence!

The stay of the travellers was but short in Washington. And here terminated the official connection of a respected friend and commander, with the autobiographer.

Major-General Hampton was a man of mark. Early in life he displayed zeal and enterprise under Sumter and Marion, and is mentioned with distinction in the battle of Eutaw. The outlines of his character were sharp and well defined. In mind vigorous, prompt, intrepid, sagacious; but of irritable nerves; consequently, often harsh, and sometimes unjust; but followed, in every instance, by the acknowledgment of wrong, or the evident signs of contrition and repentance. Toward the humble he frequently made more substantial amends — appropriate benefits —

money, clothes, and employments—at the promptings of his own generous nature. Toward the autobiographer, who enjoyed his inmost confidence, he was uniformly kind and considerate. An amusing case of quick temper, on his part, followed by placability, occurred at this visit to Washington.

Immediately preceding there had been quite an unpleasant official correspondence between General Hampton and Dr. Eustis, Secretary of War. Nevertheless, mere coolness between the parties did not absolve the former from the official propriety of calling on the latter. Accordingly, the general, accompanied by me, made an early visit to the War Office. His name was no sooner announced than the Secretary flew to the door, with hand extended, to receive the general. The latter bowed, but to my great surprise, crossed his hands behind him. Nevertheless an official conversation ensued, after the parties were seated in the office, which, successively melted into a pleasant, and then a friendly character. The interview lasted perhaps an hour. The Secretary bowed the general to the door, when the latter turned, and offered both his hands. It was now the Secretary's turn to show a dignified resentment, and, accordingly, he exactly re-

taliated the crossing of hands behind! But this was now very differently regarded; for Hampton was not disposed to treat the matter as a game of *quits*. A messenger was despatched for General D. R. Williams,* M. C. from South Carolina; pistols were procured, a challenge indited, and everything made ready, on one side, for a deadly combat—if necessary. Dr. Eustis chose, as his friend, on the occasion, Mr. Secretary Hamilton (Navy Department), another South Carolinian. These very judicious friends, looking to the advanced ages of the parties, and the ludicrous character of the quarrel, soon arranged that Hampton should, the next morning, present himself at the War Office door, to be met there by Dr. Eustis, with both hands extended, etc., in the presence of the same spectators—the autobiographer, and the chief clerk of the War Department!

The new lieutenant-colonel was soon ordered to Philadelphia, to collect the companies of the regiment as fast as recruited, and to prepare them for the field. A camp of instruction was formed,—but the recruiting

* It is impossible to name this most excellent man, without adding terms of admiration, love, and respect—notwithstanding a foolish speech (the only one of the sort he ever made) that gave him, for the moment, the *sobriquet* of "*thunder-and-lightning* Williams."

advanced slowly. Early in September the impatience of this officer could wait no longer, and he obtained, by solicitation, orders to proceed to Niagara.

To perverted minds, "big wars make ambition virtue;" but let the lovers of war look upon, after a general action, the dead and the dying on the field, and visit the hospitals. No doubt some wars are necessary, as was that of 1812, on our part; and the constitutional and moral right, on the part of the Federal Union, of putting down the existing rebellion —if deemed expedient—is indisputable. Nevertheless, I cannot but sigh, with Cowper—

> "For a lodge in some vast wilderness,
> Some boundless continuity of shade,
> Where rumor * * * * * *
> Of unsuccessful or successful war,
> Might never reach me more."

Dryden, too, in a dedication to the Duke of Ormond, has expressed a lively abhorrence for "those athletic brutes, whom, undeservedly, we call heroes," and adds—"cursed be the poet who first honored with the name, a mere Ajax—a man-killing idiot."

CHAPTER VI.

NIAGARA FRONTIER—CAPTURE OF WAR VESSELS—BATTLE OF QUEENSTOWN—A PRISONER OF WAR—PAROLED.

In this temper of mind, the battles and sieges of the following narrative are not likely to be much elaborated; to be written at the charging step or to the sound of the trumpet. How different were the feelings of the young lieutenant-colonel, on reporting to Brigadier-General Alexander Smyth,* near Buffalo, October 4, 1812.

* This officer, a native of Ireland, was a respectable member of the southwestern bar of Virginia, when made, in 1808, colonel of the new rifle regiment. He had long been a laborious and useful member of the legislature, and for several years before his death maintained the same character in Congress. As a general, though well read, brave, and honorable, he showed no talent for command, and made himself ridiculous on the Niagara frontier, by his proclamations calling for volunteers. His

I was sent immediately to cover the temporary yard, behind Squaw Island, a little below Black Rock, where Lieutenant Elliott, of the navy, was fitting up certain lake craft for war purposes. This was the beginning of the squadron that won, under Commodore Perry, the following year, the splendid victory on Lake Erie. In a few days two British war vessels were discovered early one morning at anchor under the guns of Fort Erie, opposite to the harbor of Buffalo. Lieutenant Elliott conceived the idea of capturing them, by surprise and boarding, just before daylight the following morning, and applied to the lieutenant-colonel for a detachment of troops to aid in the enterprise. Captain Nathan Towson, afterward much distinguished, was accordingly detailed for that service, seconded by Adjutant Roach, subsequently mayor of Philadelphia. He (Towson) gallantly carried and saved the Caledonia, and Lieutenant Elliott carried the Detroit, formerly the United States' Brig Adams, surrendered by Hull. There being no wind, the latter vessel was swept by the current down the Niagara, and got aground on the British side of Squaw Island, where

certificate *on honor*, late in life, that he had discovered the Key to the Apocalypse, was another extraordinary blunder.

she was abandoned by her captors, taken possession of by the enemy, and became the subject of a sharp contest during the day, between detachments of troops from both sides of the river. Finally she was burned by the Americans, as she could not be got afloat. This was a busy day (October 8) with the lieutenant-colonel, both on the island and mainland, and the first time that he was under the fire of the enemy.

Three days later he moved down the river, under orders to report to Major-General Van Rensselaer, the patroon of Albany, who commanded a camp at Lewiston, opposite to Queenstown, of some 1,500 volunteers, and three small detachments of regulars under Lieutenant-Colonels Fenwick and Christie, and Major Mullany.

Late in the evening of the 12th, Lieutenant-Colonel Scott, learning, accidentally, at Schlosser, that a hostile movement was on foot from Lewiston, marched down in the night to claim for his battalion a part in the expedition. He was refused, because all arrangements were made and instructions given, placing Lieutenant-Colonel Van Rensselaer, the chief of the general's staff, at the head of the movement, and I, his

senior, would not serve under any junior,* although Fenwick, the senior of the three, had waived his rank. Christie was Scott's junior. As to the battalion of the latter, there were no boats fit for artillery carriages, and, indeed, as it turned out, not enough for the infantry previously designated.

The object of the expedition was to storm the heights of Queenstown, occupied by a small garrison of the 49th British Foot, supported by hosts of Indians, and to hold the same as a door of entrance for the large invading army (of volunteers) that was soon to follow. In crossing, about daylight, the boats had to sustain a direct plunging fire from the battery on the heights, and also the flank fire of several forts near the village, below. Van Rensselaer, badly wounded, scarcely stood on his feet at the point of landing; Fenwick's boat, perforated with shots and half filled with water, drifted to the enemy's shore, when he, desperately wounded,

* This refusal was remembered by Colonel Van Rensselaer in the Whig Convention that met at Harrisburg in November, 1839, when Harrison, Clay, and Scott were in nomination for the presidency, and it was also remembered that Scott had, in January, 1838, arrested the colonel's son at Schlosser, while attempting to invade Canada at the head of a body of Americans. The New York delegation would have been unanimous for Scott but for the colonel.

was taken out with a detachment of men prisoners of war. Christie's boat was also maltreated and he slightly wounded in the attempt to cross.* And now it was that Lieutenant-Colonel Scott—whose light batteries, commanded by Captains Towson and Barker, had partially diverted the enemy's fire from our boats—was permitted, at his repeated solicitation, to cross over and take command of our forces in conflict with the enemy. Fortunately, he made the passage, accompanied only by Adjutant Roach, of his battalion, with but little hurt or damage. The heights and battery had been previously carried by detachments of the 6th Infantry, under Captain Machesney; of the 13th, under Captains Wool, Armstrong, Ogilvie, and Malcomb; one of the 23d, under Major Mullany; a company of light artillery, under Captain James Gibson, supported by Lieutenant Thomas B. Randolph, with one six-pounder and some New York militia. Captain Wool had been disabled by a wound, in ascending the heights. Captain J. G. Totten, of the Engineers, was also with the troops, qualified and ready for any duty that might fall to him. It was a little before this time

* He, however, subsequently joined Scott, and shared with him the fortunes of the day.

that Major-General Brock, Lieutenant-Governor of Upper Canada, and the Secretary of the Province, Colonel McDonald, fell at the foot of the heights, while gallantly leading up from the mouth of the river a body of York volunteers, with a number of additional Indians.

A pause ensued. The lieutenant-colonel rapidly reconnoitred the heights; took up a position for defence until joined by the great body of the forces remaining in camp at Lewiston; introduced himself and adjutant to his line of battle, and attempted to unspike the guns the enemy had left in the captured battery. While directing the latter operation the enemy's collected forces suddenly drove in our pickets, when regulars, volunteers, and Indians rushed upon our line of battle, which, intimidated, began to face about, and, in a moment would have been in full retreat, but that the lieutenant-colonel, running back from the battery, by storming and a free use of the sword, brought his whole line to face the enemy, and, in a charge, to drive him beyond reach. After an interval, a second attack was made with a like result. Returning again to the chosen position our forces were reformed, and stood impatiently awaiting the arrival of reënforcements

from the other side of the river; for the approach of a fresh column of the enemy from below could be plainly seen, under, as it proved, Brigadier-General Sheaffe, on whom had devolved all the public functions of Brock. The new reënforcement of the enemy being also perceived by Major-General Van Rensselaer, he wrote to our commander on the Canada side: "I have passed through my camp. Not a regiment, not a company is willing to join you. Save yourselves by a retreat, if you can. Boats shall be sent to receive you."

The disgrace of Hull's recent surrender was deeply felt by all Americans. Those on Queenstown Heights, at the instance of their youthful commander, resolved, though with but little hope of success, to sustain the shock of the enemy, when, if beaten, the survivors might still seek an escape by means of the promised boats. The British commander approached with an awful tediousness, evidently supposing the small body in his view to be merely the advance guard of the Americans. At length the conflict came. The firings, on both sides, were deadly, and then followed a partial clash of bayonets. The Americans, by the force of overwhelming numbers were pushed from the heights

toward the river, aiding themselves, in the steep descent, by means of brushwood and yielding saplings. One hundred and thirty-nine regulars, out of six hundred that had embarked in the morning, and two hundred and fifty-odd volunteers,* out of four hundred and fifty, reached the margin of the river. Here all were seized with despair. No boats had arrived! Indeed, but a few that were serviceable remained, and General Van Rensselaer could not force nor bribe oarsmen enough, among his men, to take one of them to their forlorn countrymen! A surrender was inevitable. There was no time to lose. The enemy were gradually letting themselves down the precipice, which partially covered the Americans, near enough to render their fire effective.

Two bearers of flags of truce had been despatched in succession to the British commander, but there was no return, and no cessation of hostilities. It was con-

* This body of men, under Brigadier-General Wadsworth, supported by Colonel Stranahan, behaved with gallantry throughout the day. When Scott assumed the command he did not know that there was a general officer on the ground. The latter, in plain clothes, modestly made his rank known, and insisted on supporting Scott, which he did, with zeal and valor, in every combat. This Wadsworth (William) and his brother, James, were the great farmers on the Genesee Flats.

cluded that they had been killed or captured by the Indians. Captains Totten and Gibson each volunteered to make a third attempt, but as to bear a flag had become a forlorn service, Lieutenant-Colonel Scott assumed the duty to himself, and took with him his gallant comrades, Totten and Gibson. Being uncommonly tall and in a splendid uniform, it was thought his chance of being respected by the savages, who were under but little control, the best. The party had to pass down along the margin of the river some hundreds of yards to find an easy ascent. Several shots had been fired at them, before they turned up to the left, when two Indians (Captain Jacobs and young Brant, of whom more in the sequel), after firing, sprang from a covert and seized the party. A deadly combat impended; but a detachment of regulars, headed by an officer, rushed to the rescue, and conducted the flag to the British commander, General Sheaffe. His first and second attempts to stop the Indian fire on the Americans under the precipice proving unsuccessful, Lieutenant-Colonel Scott demanded to be escorted back to his countrymen, that he might share their fate. He was prevailed upon to await another trial, which succeeding, a formal surrender was made on terms

honorable to all parties, and the prisoners were put in march for the village of Newark (since Niagara), at the mouth of the river.

Nothing could have been more painful than the position of Major-General Stephen Van Rensselaer * during the day of Queenstown. A citizen of undoubted patriotism and valor, with a weight of moral character very rare—but without military experience—he found himself helpless in his camp, by the machinations in the ranks of demagogues opposed to the Administration and the war. These vermin, who infest all republics, boastful enough at home, no sooner found themselves in sight of the enemy than they discovered that the militia of the United States could not be constitutionally marched into a foreign country! † This pleasant doctrine to the faint hearted, soon found almost universal favor. The pure-minded

* But distantly, if at all, related to the colonel, chief of his staff.

† What so perverse and mischievous as party frenzy in a republic! I was made a prisoner at Queenstown, in a lawful and necessary war, because certain militia would not cross the Niagara to my rescue. In the winters of 1837–'8, and 1838–'9, it cost me my utmost exertions, physical and mental, all along the British frontiers, from Lake Huron to Aroostook—to prevent our people from making uninvited, unlawful, and preposterous invasions of the conterminous Provinces.

general took an early opportunity of retiring from the command of such troops.

On reaching the village of Newark, the American officers were lodged in a small inn after being divested of their swords, which were temporarily stacked under the staircase in the entry. A strong guard was at hand, and sentries were posted. In a few minutes a servant said that there were persons at the front door who desired to see *the tall American.* Lieutenant-Colonel Scott, passing through several doors, found, on reaching the entry, that his visitors were the same two Indians met by him some hours before when bearing the flag of truce. Captain Jacobs, one of them, a man of uncommon stature and power, speaking but little English was interpreted by his companion, young Brant, the life of whose father has been published by the late W. L. Stone, Esq., of New York, in two volumes, octavo, a valuable contribution to the history of the *French War*, as called in America, but known in Europe as the *Seven Years' War;*—to the War of American Independence; and to many subsequent wars between the United States and the Northwest Indians, as well as to the last war between the United States and Great Britain.

The professed object of these Indians was to see if they had not in the several combats of the day hit the prisoner before them—each alleging that he had deliberately fired at him three or four times from no great distance. Their design, however, was no doubt sinister. All the surviving Indians were exceedingly exasperated at the severe loss their tribes had just sustained. Jacobs, accordingly, to begin the affray, seized the prisoner rudely by the arm and attempted to turn him round to examine his back. The savage was indignantly thrown against the wall, when both assailants, placing their hands on their knives and hatchets, exclaimed—"We kill you now!" It was an awful moment for the assailed. There was no witness nor help at hand. The sentinel near the door, who had improperly admitted the Indians, was not in view, and perhaps indifferent as to consequences. God and his own stout heart must save the American from instant butchery. With one mighty spring he seized the hilt of a sword with an iron scabbard (easily drawn), then springing back he faced the enemy and occupied the narrow space between the staircase and the opposite wall, but far enough advanced to allow a free use of his sword over the depressed balustrade.

In this strong position he could not be attacked by two assailants at once, and he was sure to fell the foremost, though he might be assassinated by the second before he could recover his sword. At this critical moment —the parties standing at bay but in act to strike— Captain Coffin, nephew and aide-de-camp of General Sheaffe, entered to conduct some of the prisoners to the general's quarters where they were invited to dine. The scene spoke for itself. The captain instantly seized Jacobs by the collar with one hand, holding a cocked pistol in the other. Both Indians, with their weapons, now turned upon him, and the American closed in to slay the one left by the pistol. The gallant aide-de-camp had just time to call out—*the guard!* when a sergeant and squad rushed in and marched off the savages as prisoners. It required a strong escort to conduct the dinner guests in safety to and from the general's quarters, for the village swarmed with exasperated Indians.

At table, Lieutenant-Colonel Scott learned from General Sheaffe himself, that he was a native of Boston, the son of a civil *employé* of the crown;—that adopted, when a boy, by Lord Percy (afterward Duke of Northumberland), then colonel of the 42d Foot, he

was sent to England for his education, and that the duke continued his patron through his whole military career. The general added, that although he had never owed allegiance to the United States, yet anxious to avoid engaging in hostilities with Americans, his countrymen by birth, he had early requested to be sent to some other theatre of war. For the Battle of Queenstown he was made a major-general and baronet, and as soon as practicable recalled to Europe.

All volunteer officers and men, among the American prisoners, were paroled and sent home. The regulars of every rank were retained and embarked for Quebec. Before sailing, the remains of General Brock were buried with all the honors of war, in a bastion of Fort George, at the upper edge of Newark. Lieutenant-Colonel Scott, out of respect for the very high character of the deceased, sent over a request to the American fort (Niagara) opposite, to fire minute guns during the British solemnities, and thus there was a long-continued roar of American and British cannon in honor of a fallen hero.

In the following campaign (1813), Fort George was captured by the autobiographer, then colonel, and enlarged, in part, by him, according to a plan of the engi-

neer, Captain Totten. Great care was taken by both not to disturb the bastion in which the remains of General Brock lay interred. A word more, in connection with the foregoing, may, perhaps, be pardoned. So late as 1860, a resident of New Jersey and the Highlands of New York (W. E. Baldwin, Esq.), presented to the autobiographer the identical pistols (as is well established by respectable evidence) that were in General Brock's holsters at the time of his fall. His body, partly under his dead horse, was, for a time, in the possession of the Americans. (Arms of every kind, gorgets, sashes, and spurs are lawful trophies of war.)

CHAPTER VII.

KINGSTON—PRESCOTT—MONTREAL—QUEBEC—SAILED FOR HOME—GUT OF CANSO—WASHINGTON.

THE regular prisoners passed at Kingston from vessels of war to rowboats, and under a strong guard descended the St. Lawrence, marching around the more dangerous rapids.* At Prescott, opposite to

* A singular rudeness was experienced in passing around the *Long Sault*, on the edge of a Caledonian settlement—all Catholics. Their priest, attracted by the name and rank of Lieutenant-Colonel Scott, reproached him severely as a traitor to George III. Perceiving his sacerdotal character, a condescending explanation and reply was given, without effect. In 1827, Major-General Scott being at Buffalo, on board of a government steamer about to ascend the lakes, her master asked permission to receive in the cabin, for his benefit, a bishop and two priests. It was granted. General Scott at once discovered in the prelate his reviler at the *Long Sault*. Suppressing the discovery he invited the party to his separate table, and did his best to overwhelm the Right Reverend gentleman with hospitality and courtesy—a Christian's revenge.

Ogdensburg, I was taken into the quarters of the commander of the post, Colonel Pearson, who had just arrived from England. Expecting a night attack by the militia, at Ogdensburg, opposite, the commander slept but little, and that on the prisoner's pallet—two blankets and a cloak, Pearson's own baggage not being up. No one exceeded this gallant officer in courtesy and amiability. To soothe his prisoner, depressed by his condition, and disappointed at not being rescued by the militia at Ogdensburg, he told the story of his own recent capture and noble treatment by an American privateer. On board of a transport ship, with his young wife, he fell in with the ———, Captain ———, and being without heavy guns, surrendered after the first fire. Captain ———, with a party, boarded the prize, when learning that Mrs. Pearson was thrown into a state of premature labor, he placed a sentinel at the cabin door, and left to the colonel an absolute control over all within it—giving such aid as was called for. The colonel was also desired to mark everything that belonged to him, with his name, and assured that all should be held sacred as private property. In sight of an American port, the prize was recaptured and taken to Halifax, where

the colonel acquitted himself of the debt of liberality by his conduct to the American prize crew.*

The Queenstown prisoners experienced much courtesy from other British commanders: from the old and infirm Colonel Leftbridge, who was at the head of the guard in the boats down to Montreal; from Major-General Glasgow, the commander of Quebec, a fine old soldier, and others. The remarkable exception was in the Governor-General of the Provinces—Lieutenant-General, Sir George Prevost—who, being of an American family, behaved like a renegade in causing the prisoners to be marched, on their arrival at Montreal, along the front of its garrison, drawn up in line of battle, and by slights and neglects which excited contempt and loathing. As a soldier, he was signally disgraced, subsequently, at Sackett's Harbor and Plattsburg.

A scene occurred, at Quebec, respecting the American prisoners, which led to a correspondence, to legislation, and other results of great national interest and importance. The story, though told in Mansfield's

* At the Battle of Chippewa, in 1814, Colonel Pearson commanded the right wing of the British army, and subsequently was, as a general officer, Lieutenant-Governor of Gibraltar. He, up to his death, remained the friend of his prisoner (for a night) at Prescott.

well-written life of the autobiographer, on notes and documents supplied by the latter, is necessarily reproduced in this place, but with some corrections and additions.

The Americans being, November 20, 1812, paroled and embarked for Boston, a commission of several persons came on board, under the instructions of Sir George Prevost to sequester and to retain, as traitors, every prisoner, who, judging by speech or other evidence, might appear to have been born a British subject. Lieutenant-Colonel Scott being engaged in the cabin, heard a commotion on deck, when hurrying up, he found that twenty-odd of his men had already been selected for trial, and all much grieved and alarmed. He instantly stopped further examinations by commanding absolute silence on the part of the prisoners; had an altercation with the commissioners; explained to the sequestered the reciprocal obligation of allegiance and protection; assured them that the United States' Government would not fail to look to their safety, and in case of their punishment, as was threatened, to retaliate amply. Not another man was added to those previously selected, then, nor on any subsequent occasion.

To finish this story without regard to chronology: the lieutenant-colonel arrived at Washington (where he found himself exchanged) in January, 1813, on the evening of a reception at the President's. The warm greeting given him was scarcely over, when he, with some animation, mentioned to the President the case of the sequestered prisoners. Several members of Congress eagerly listened to the narrative, when instructions were given to report the whole case, officially, to the Secretary of War. Hence the following letter, dated January 13, 1813:

*Lieutenant-Colonel Scott to the Secretary of War.**

"SIR:

"I think it my duty to lay before the Department that, on the arrival at Quebec of the American prisoners of war surrendered at Queenstown, they were mustered and examined by British officers appointed to that duty, and every native-born of the United Kingdoms of Great Britain and Ireland sequestered, and sent on board a ship of war then in the harbor. The vessel in a few days thereafter sailed for England, with

* American State Papers, vol. iii., p. 634, as published under an act of Congress.

these prisoners on board. Between fifteen and twenty* were thus taken from us, natives of Ireland, several of whom were known by their platoon officers to be naturalized citizens of the United States, and others to have been long residents within the same. One in particular, whose name has escaped me, besides having complied with all the conditions of our naturalization laws, was represented by his officers to have left a wife and five children, all of them born within the State of New York.

"I distinctly understood, as well from the officers who came on board the prison ship for the above purposes, as from others with whom I remonstrated on this subject, that it was the determination of the British Government, as expressed through Sir George Prevost, to punish every man whom it might subject to its power, found in arms against the British king contrary to his native allegiance."

This report was promptly communicated to Congress, which, followed up by the solicitations of the writer, led to the passage of the act, March 3, 1813,

* There were, in fact, twenty-three, as stated in the text.

"vesting in the President of the United States the power of retaliation in certain cases."

It so chanced that in a few months the writer of that report, at the capture of Fort George (May 27), made a great number of prisoners, when, as adjutant-general and chief of the staff, with the rank of colonel, he selected and confined an equal number of the captured Englishmen, to abide the fate of the Americans sent to England for trial.

*Earl Bathurst to Sir George Prevost.**

"Downing Street, *August* 12, 1813.

"Sir:

"I have had the honor of receiving your despatch No. 66, of the 6th of June, enclosing a letter addressed to your excellency by Major-General Dearborn. In this letter it is stated, that the American commissary of prisoners in London, had made it known to his Government that twenty-three soldiers of the 1st, 6th, and 13th regiments of United States infantry, made prisoners, had been sent to England and held in close confinement as British subjects; and that Major-General Dearborn had received instructions from his Govern-

* American State Papers, vol. iii., pp. 640, 641.

ment to put into close confinement twenty-three British soldiers, to be kept as hostages for the safe-keeping and restoration, in exchange, of the soldiers of the United States who had been sent, as above stated, to England; and General Dearborn apprises you that, in obedience to these instructions, he had put twenty-three British soldiers in close confinement, to be kept as hostages.

"The persons referred to in this letter were soldiers serving in the American army, taken prisoners at Queenstown, and sent home by you, that they might be disposed of according to the pleasure of His Royal Highness the Prince Regent, they having declared themselves to be British-born subjects. Your excellency has been directed to send home the necessary evidence upon this point, and they are held in custody to undergo a legal trial.

"You will lose no time in communicating to Major-General Dearborn that you have transmitted home a copy of his letter to you, and that you are, in consequence, instructed distinctly to state to him, that you have received the commands of His Royal Highness the Prince Regent, forthwith to put in close confinement forty-six American officers and non-commissioned

officers, to be held as hostages for the safe-keeping of the twenty-three British soldiers stated to have been put in close confinement by order of the American Government; and you will at the same time apprise him, that if any of the said British soldiers shall suffer death by reason that the soldiers now under confinement here have been found guilty, and that the known law, not only of Great Britain, but of every independent state under like circumstances, has been in consequence executed, you have been instructed to select out of the American officers and non-commissioned officers whom you shall have put into close confinement, as many as may double the number of British soldiers who shall so unwarrantably have been put to death, and cause such officers and non-commissioned officers to suffer death immediately.

"And you are further instructed to notify to Major-General Dearborn, that the commanders of His Majesty's fleets and armies on the coasts of America, have received instructions to prosecute the war with unmitigated severity against all cities, towns, and villages, belonging to the United States, and against the inhabitants thereof, if, after this communication shall have been duly made to Major-General Dearborn, and a

reasonable time given for its being transmitted to the American Government, that Government shall unhappily not be deterred from putting to death any of the soldiers who now are, or who may hereafter be, kept as hostages, for the purposes stated in the letter from Major-General Dearborn.

"I have the honor to be,

"BATHURST."

The haughty tone of this letter may be accounted for by remembering the disasters of the Russian campaign, in which Napoleon lost by frost in the retreat from Moscow, the flower of his army; to the victories of Wellington in the Peninsula, which opened exhausted France to invasion, and to the assembling, at the moment, of the *élite* of the armies of continental Europe upon Dresden, to give the *coup de grâce* to the falling emperor.

Much of that bitterness of English feeling prevailed, at the time, in one of the American parties. The Honorable Alexander C. Hanson, M. C., from Maryland, in a speech in the House of Representatives, February 14, 1814, after remarking that "the impressment of British seamen from American vessels was the vital point"

in the war—next echoed the sentiments of Lord Bathurst, thus:

* "Mr. Chairman—upon this question of impressment, allegiance, protection, and naturalization, which has been connected with it, gentlemen here may fret, rail, and argue, until doomsday. They may set up new-fangled doctrines, and deny old and established principles, but as far as depends on the opinions of the ablest jurists, and the practice of the oldest regular governments, the point in controversy is long ago settled. It is immutably determined.

[Here he cited "the fundamental maxim of the law of England"—"perpetual allegiance"—"once a subject, always a subject."]

"Now, sir," continued Mr. Hanson, "I am prepared to go a step farther than has been deemed necessary from the actual case presented to our consideration. I say, that an Englishman, naturalized or not by our laws, if found in arms against his native country, is a *traitor* by the laws of his native country. I do not confine the position to British subjects naturalized here, and made captives within the dominions of

* Carpenter's Select American Speeches, vol. ii., pp. 425–431.

their sovereign, where the arm of protection cannot be extended; but, if the armies of the enemy crossed the line, and invaded us in turn, and made prisoner a Briton found in arms against Britain, he is as much a traitor as if taken a prisoner in the heart of the British empire.

"Such men are *traitors* in the legal, true sense of the word, and ought to be treated as such. The good of society and the safety of government require it. If, to protect them, we resort to a bloody, ferocious, exterminating system of retaliation, we shed the innocent blood of our own countrymen.

"I say, then, without reserve, if the President proceeds in the ruthless, bloody business he has commenced, he is answerable, here and hereafter, for all the American lives wantonly sacrificed. Posterity will pronounce him guilty, and heap maledictions upon his name.

* * * "When the party contests of the day are forgotten; when the passions engendered by political strife have subsided; when reason shall resume her throne, and the present generation is swept into the silent tomb, those who live after us will pronounce a

judgment upon the chief actors in this tragedy of blood and murder."

These were dire denunciations of "the chief actors in [the] tragedy of blood and murder." Yet Major-General Scott, "the head and front of [that] offending"—when in the act of embarking at New York, for Europe, July 9, 1815, had the happiness to meet on a pier, in the East River, just from an English prison, twenty-one of the identical men taken from him at Quebec—the other two having died natural deaths! It was thus, and not by any subsequent diplomacy of the American Department of State, as has sometimes been claimed, that Great Britain was forced to yield the principle, "once her subject, always her subject"—on which the soldiers were seized, and hundreds of sailors impressed, out of American ships.

November 20, 1812, Lieutenant-Colonel Scott, with the remainder of the regular prisoners taken with him at Queenstown, sailed from Quebec for Boston, at the beginning of a snow storm. Such were the known dangers in the navigation of the Gulf of St. Lawrence at that late season, that the ship could not have been insured at a premium of less than fifty per cent. of her

value. This cartel (British ship) was, however, staunch and well commanded. After being blown about at the mercy of a succession of gales, she, at the end of twenty-three days, entered the Gut of Canso—a natural canal, separating Nova Scotia from the Isle of Cape Breton—and came to anchor in a cove of the latter. Both shores were mountainous and uninhabited for an indefinite distance, except a single farmhouse in a small valley, opposite to the cove and near the water. This was occupied by Mr. Pain, a second Robinson Crusoe. He had sailed from Boston in a smack for the banks of Newfoundland and other fishing grounds, in 1774, before the outbreak of the Revolution. Having made up the cargo in the Gut of Canso, Pain begged his companions to let him remain till the return of the party the following season. They assisted in building him a hut, and left with him a good supply of personal and bed clothes, some axes and other tools, a gun, with ammunition, fishing tackle, and such other stores as could be spared—together with a Bible, "Paradise Lost," and "The Pilgrim's Progress." Prayers were said at parting, and the smack sailed for home. This was the last that our adventurer saw of "the human face divine," till the end of nine or ten years. The Revolu-

tionary War supervened. There was no more fishing and curing of fish by Americans on those shores—the Gut of Canso at that period not being navigated except by vessels driven into it by stress of weather. There was no road and no trail across the mountains to any settlement whatever.

For the first year, and, indeed, till his supplies began to fail him, Mr. Pain, then young, did not lament his condition. But when the second and third seasons came, and again and again there was no return of his friends, it seemed evident they had abandoned him;—his spirits drooped, and he was in danger of being lost in despair. Like Alexander Selkirk in similar circumstances, he might have exclaimed:

"I am monarch of all I survey,
My right there is none to dispute;
From the centre all round to the sea,
I am lord of the fowl and the brute.

"O solitude! where are the charms,
That sages have seen in thy face?
Better dwell in the midst of alarms,
Than reign in this horrible place.

"I am out of humanity's reach,
I must finish my journey alone,
Never hear the sweet music of speech—
I start at the sound of my own.

"The beasts that roam over the plain,
My form with indifference see;
They are so unacquainted with man,
Their tameness is shocking to me."

But man is the most flexible and pliable of all animals. According to his own account, Mr. Pain soon learned to relish food without salt; the moose deer and fleecy goat were abundant, furnishing him with both food and raiment, and which he contrived to entrap after his powder and shot were exhausted. So, too, in respect to wornout hooks and lines: these were replaced by bones and slips of skins, so that there was no want of the "finny prey." By the fifth year he began to like this new life as well as at first. His books were more than a solace to him, and the autobiographer can testify that he could accurately recite, from memory, entire chapters of the Bible, and many of the books of "Paradise Lost." Finally, when, at the end of the war, his old master in a smack came in search of him or his remains, he had become so attached to this new mode of existence that he refused to return to his native soil. A good supply of necessaries was again left with him. His little property at home was invested in cattle, with materials for a small house, some furniture, etc.

—all of which were sent out to him, with an old sister, a farm laborer, and a lad—a relative. Before 1812, some new connections and laborers had joined him, and he had become a thrifty farmer.*

The provisions for the paroled soldiers, by the neglect of the British commissariat, proved to be bad. The salt beef and pork had become rusty, and the bread worm-eaten. This food had been on board, perhaps, a twelvemonth, and a part of the time in a hot climate. The scurvy soon appeared among the soldiers. Lieutenant-Colonel Scott threw in his personal stores (fresh beef, bread, onions, and potatoes), too small a stock to produce much benefit. But a fine ox, some sheep, and a hundred bushels of potatoes, bought of Farmer Pain, proved a godsend, stopping the disease at once.

* It is not known that any memoir or notice of this interesting adventurer has ever been published.

CHAPTER VIII.

COLONEL AND ADJUTANT-GENERAL — FORT GEORGE — OGDENSBURG — HOOP-POLE CREEK — FRENCH MILLS.

It has already been stated that Lieutenant-Colonel Scott, on arriving at Washington in January, 1813, found himself exchanged. After a short interval, he was ordered to Philadelphia to take command of another battalion of his regiment (a double one—twenty companies) then nearly ready for the field. In the month of March he was appointed adjutant-general, with the rank of colonel, and promoted to the colonelcy of his regiment about the same time. He continued to hold the two commissions for several months, occasionally quitting the staff for hours or a day to command his own and other troops in battles, skirmishes,

and forrays. With his battalion he had joined the army under the command of Major-General Dearborn, on the Niagara frontier, early in May, and, as the chief of his staff, first organized the service among all the staff departments, several of which were new and others unknown in the United States since the Revolutionary War. In this labor he was greatly aided by an early edition of Théibault's *Manuel Général du Service des États-Majors Généraux*, etc.

The first general movement of this army had for its object, by the capture of Fort George, to make the left bank of the Niagara the basis of further operations. That work, on the river side, had been much damaged, May 26, by the batteries of Captains Towson and Archer (of Scott's regiment) at Youngstown, opposite. Accordingly, on the next day, an embarkation commenced from a creek three miles east of the Niagara, some time before daylight. Colonel Scott led the advance guard or forlorn hope, composed of a battalion of his own regiment acting as grenadiers, and a smaller one, under Lieutenant-Colonel McFeely of the 22d Infantry, and was followed by field batteries under Colonel Moses Porter; Boyd's, Chandler's, and Winder's brigades, and a rear guard (or reserve) under

Colonel Macomb—making a force of about four thousand seven hundred men. The point of descent was the lake shore, a half mile (or more) west of the mouth of the river. Commodore Chauncey's fleet stood in as near as practicable, and by its fire, kept the enemy, under Brigadier-General Vincent, back a little, till the Americans, when near the shore, became a shield against that fire.

The wind was fresh and the surf high. Captain Perry, an old friend of Scott, who, from Lake Erie, had joined Chauncey as a volunteer, for the day, kindly took Scott in his gig and piloted the boats of the advance guard through the surf and the brisk fire of the enemy. The beach was narrow and the bank precipitous—from seven to eleven feet high, affording, generally, but slight foothold to climbers. The first attempt at ascent was repulsed by the bayonet, and Scott, among others, tumbled backward. Major-General Dearborn, a fine old soldier, saw, from the fleet, the fall, and honored the supposed loss of the chief of his staff with a tear. At the second attempt the bank was scaled—with a loss of every fifth man killed or wounded; the line of battle was reformed, and a furious charge made that drove more than twice the num-

ber of the enemy out of sight. This could not have been done but for the intimidation caused by the fleet of rowboats seen following in Scott's wake. Porter and Boyd soon landed. Not a horse accompanied the expedition; but Scott, mounted on the charger of a colonel, a prisoner, had, in pursuing the enemy, to thread the village circumspectly, which gave time for Colonel Miller of the 6th Infantry (Boyd's brigade) to unite with the advance. Passing Fort George, now untenable and still under the fire of the American batteries at Youngstown, two fugitives were observed who had just escaped from the fort. Scott, singly, charged and made them throw down their arms. They informed him that nearly all the garrison had, fifteen minutes before, joined the enemy's retreat up the river, and that the few men remaining were spiking the guns and applying slow matches to the bastion magazines. Desirous to save these, he ordered that Captains Hindman and Stockton's companies (of his own regiment) should join him at the fort, and that the remainder of the column should continue the pursuit. At his near approach, one of the magazines exploded. Horse and rider being both struck by splinters, the latter was thrown to the ground, with a broken collar bone and

some bruises. Nevertheless, aided by his two prisoners—the detachment from the column being nearly up—Scott was the first to enter the fort. The last of the garrison escaped at the same moment. Hindman and Stockton flew to the two unexploded magazines just in time to pluck away the burning matches, while Scott took the colors with his own hands.*

In a moment he was again in the saddle, and rejoined his pursuing column already in the midst of the enemy's stragglers. Opposite to the Five Mile Meadow (that distance from the mouth of the river) Scott met Colonel Burn (his senior colonel), who had just crossed over with a troop of his Light Dragoons. Another troop was approaching in boats, and Scott agreed to wait for it, as Burn conceded to him the command. This enabled Brigadier-General Boyd personally to overtake and order the whole pursuing force back to Fort George, against the remonstrances of Scott, who assured him (as he had replied to a like order previously received from Major-General Lewis) that, with

* The down-haul halliard of the colors had been shot away by the opposite batteries. Hence the retreating garrison had nearly cut down the flagstaff, when obliged to fly, leaving the axe in position. With this in his hand Scott soon brought to the ground the coveted trophy.

the reënforcement of the Light Dragoons, he could capture the disorganized army then less than a mile ahead of him. Boyd, acting under instructions, insisted on an immediate return! And thus terminated the battle of Fort George, May 27, 1813.*

Colonel Scott now limited himself mainly to his staff duties. The disaster of the 6th of June, at Stony Creek, resulting in the capture of the American generals, Chandler and Winder, though the enemy was repulsed, caused Major-General Dearborn to send up his second in rank, Lewis, with Scott, to that headless army†—a renewed attack upon it being imminent.

* Early in the pursuit (near the lake) Scott came up with a wounded colonel, just made a prisoner, and after giving directions for his safety and comfort, borrowed the charger before mentioned. Calling to restore the property, and to provide for his wants, the Englishman handsomely observed: "We have reversed our relative positions of the last autumn. Allow me, in the way of apology, to say that you can now see the Falls of Niagara in all their splendor"—alluding to what he had said to Scott when the latter was the prisoner, viz.: that Scott, who had said something on the subject—must win a great battle before he could have that enjoyment. This sarcastic remark was sharply rebuked at the time, both by the offended party and the British general, Sheaffe, at whose table it was made.

† This extraordinary result irresistibly brings to mind the siege of Cremona in 1702. Prince Eugene, by a singular stratagem, entered that city in the night, at the head of a competent force; but was finally driven out by the gallant French garrison, without other loss than that of their

On the capture of Chandler and Winder, letters came down from that army to headquarters, at Fort George, requesting that Colonel Scott might be sent up to command it. But as he arrived with a major-general (Lewis) and a retreat was soon ordered from below, the general cry was heard—*Scott to the rear guard!* That post of honor was given him, and the march of forty-odd miles, though flanked by hostile

commander, Marshal Duc de Villeroi, who being captured and secured at the very entrance of the Austrians, gave the garrison its triumph. Madame de Staël, on the subject of Russian despotism, wittily said it was tempered and checked by the salutary practice of assassination—applied to odious czars. So among the French, before the Revolution, with their keen perception of the witty and the ludicrous: a *bon-mot*, a *jeu d'esprit*, anonymously circulated, often rebuked and held in defiance the meditated designs and absolutism of the court. Villeroi, the foster-brother and only acknowledged favorite Louis XIV ever had, was made to feel this power, when laid on the shelf and rendered harmless for a time by the following epigram:

"Français, rendez grâce à Bellone.
Votre bonheur est sans égal;
Vous avez conservé Crémone
Et perdu votre général."

Winder's was a hard fate, both at Stony Creek and (next year) at Bladensburg. With the elements of a good soldier, he, like Colonel Drayton, though poor, sacrificed to patriotism an extensive law practice, which was not recovered after the war. It is a misfortune to begin a new career with too much rank, or rather, too late in life.

Indians on one side, and by the British fleet on the other, was uninterrupted.

Another disaster to our arms soon followed. Colonel Boerstler, June 23, 1813, was detached with some six hundred men, of all arms, to attack a post at the Beaver Dams, near Queenstown, on the road thence to the head of Lake Ontario. The same day the whole of this force, falling into an ambuscade, was captured.

These misadventures deeply affected the health and spirits of Major-General Dearborn—who, before, had been much disordered by the lake fever. An order of recall soon reached him from the War Department. The officers of his army, remembering his high moral worth, his patriotism, valor, and military distinction at Bunker Hill, Quebec, Monmouth, Yorktown, etc., etc., deeply sympathized with their venerable chief, and requested Colonel Scott to be, at the moment of separation, the organ of their sentiments. A short, emphatic valedictory did much to soothe a wounded heart.

Major-General Lewis having been previously sent to Sackett's Harbor, the command on the Niagara basis now devolved on Brigadier-General Boyd—courteous, amiable, and respectable, as a subordinate; but vacillating and imbecile, beyond all endurance, as a chief

under high responsibilities. Fortunately, the British general-in-chief, then Major-General de Rottenburg, and his second, Vincent, were equally wanting in enterprise and execution. The Secretary of War, General Armstrong, a great military critic and judge of character, instructed Boyd to intrench his army, and not to seek a conflict, but await the arrival of Major-General Wilkinson * from New Orleans.

Thus the army of Niagara, never less than four thousand strong, stood fixed, in a state of ignominy for some two months, under Boyd, within five miles of an unintrenched enemy with never more than three thousand five hundred men!

This long inactivity was slightly enlivened by two night demonstrations of the enemy, in which some of the American pickets were driven in; by one affair between Indians of the opposing armies, and by a dozen or more skirmishes, growing out of foraging operations, several of which turned out rather serious affairs. In most of these, Scott, without always seeking the service, either commanded originally, or was,

* The selection of this unprincipled imbecile was not the blunder of Secretary Armstrong. Wilkinson, whose orders were dated March 10, 1813, contrived not to reach Fort George till the 4th of September!

at the first shot, sent out with reënforcements, when, by seniority, the command devolved upon him. Fortunately, though always attacked, he never lost a prisoner or a wagon, and always returned with a loaded train. These successes in *la petite guerre* came near fixing upon him the character of a partisan officer, whereas it was his ambition to conduct sieges and command in open fields, serried lines, and columns.

It is not remembered that the American friendly Indians were allowed to take part in that war except on the one occasion alluded to above. A little while before his recall, Major-General Dearborn assembled, in council, the Seneca and other Indian chiefs, residing near Buffalo, when they were invited to furnish a few hundred auxiliaries in the existing campaign, to serve the purposes of watching the legions of British Indians, of interpreting their movements and intentions, and specially to prevail upon them to return to their native wilds—leaving the white belligerents, alone, to kill each other in the settlement of their own peculiar quarrel. Scott opened the council on the part of the general, and was replied to by Red Jacket—the great orator as well as warrior among the red men. He was perfectly ready for all enterprises of hazard promising

distinction; but the sarcastic heathen—all the other principal chiefs were Christians—could not forbear, interpreting the invitation in his own way—*help us to beat the British*—producing a contradictory letter from General Dearborn, written early in 1812, as Secretary of War, in which neutrality, in the approaching hostilities, was strictly enjoined on the part of all American Indians. Nevertheless, the auxiliaries under the *Farmer's Brother*, the venerable head chief; Pollard, the leader of the Christian party; and Red Jacket, the leader of the heathens, all promptly joined the army at Fort George. They contrived several interviews with many chiefs of the British Indians; but failed to persuade them to a pacific course. The Farmer's Brother, in the name of all his people, then solicited permission, before returning home, to attack one of the hostile Indian camps a little distance apart from the British regulars. This was granted, though the Americans, intrenched, were now under the injunction to stand on the defensive; and Scott, as adjutant-general, was desired to instruct the Indians not to kill prisoners, and not to scalp the dead. Pollard and the other Christians readily acquiesced, and demanded cords and strings for tying their captives. Red Jacket and his

pagan followers asked to be similarly prepared for success, when all set forward in high spirits, and to the great amusement of the army. A battalion of infantry had been advanced halfway to the enemy's camp, some three miles off, to serve as a shield and support, in case the gallant assailants should be repulsed and hotly pursued. Passing the battalion, the Indians—not understanding injunctions *not* to fight, in time of war! called out—*Come along; what! are you afraid?* Conceive the deep humiliation; for the commander of the support was the distinguished Major William Cumming — brave, intellectual, and of sensibilities almost morbid.

In the American camp, all were on the tiptoe of anxiety and expectation; but soon sharp cracks of rifles were heard, followed by a more painful silence. There was not an officer, nor a man who would not have been happy, if permitted, to rush out of the intrenchments to support his red friends. In thirty minutes, however, shouts of triumph began to approach nearer and nearer. The enemy's (Indian) camp had been surprised, many of his red men killed or wounded, and sixteen made prisoners. When these were seen, each closely pinioned and led by a string, the novel

spectacle produced such roars of delight as to be heard from camp to camp.

Finding his position at headquarters, for the reasons already given, disgusting, Scott, about midsummer, resigned his adjutant-generalcy, and limited himself to the command of troops—his own regiment and others.

Early in September it was determined to make a joint expedition against Burlington Heights, in rear of the British army, where it was supposed would be found large magazines of *matériel* and other important stores, guarded by a limited force; and Scott, with a competent detachment, was embarked on board of Commodore Chauncey's fleet for their capture. A landing and search were made, but nothing of value was there. It being now certain that the enemy's grand *depôt* of supplies was at York (Toronto), the capital of Upper Canada—captured and evacuated by General Dearborn in the preceding April—Chauncey and Scott resolved to make a second descent upon that place. The latter, with the land troops and marines, debarked and drove out the garrison after a sharp rencounter—the fortifications had not been renewed; and formed a cordon of pickets and sentinels, while the commodore emptied the public storehouses of their

abundant contents. Learning that there were many political offenders confined in the jail, Scott caused them (some were Americans) to be sent on board the fleet; but gave special instructions to leave all felons—persons charged with offences against morals—to abide their fate.

On reëmbarking, he learned that some of the sailors had brought off from the public storehouses a few trunks, belonging to British officers—the contents of which—uniforms, etc., he now saw flaunting about the decks. Causing the broken and emptied trunks to be brought to him, he found left in one, marked with the name of General Sheaffe—a mass of public and private papers. The latter, unread, were carefully separated, and sent to the British headquarters. A sailor, who witnessed the investigation, showed the colonel the miniature of a beautiful lady, set in gold, taken out of another trunk that had upon it the name of Lieutenant-Colonel Harvey. It was concluded that this must be the likeness of the lieutenant-colonel's young bride. Colonel Scott bought it of the sympathizing sailor for a small sum, and sent it to the gallant husband, with Sheaffe's private papers.*

* It was Harvey that surprised and captured Chandler and Winder at

On the arrival of Major-General Wilkinson at Fort George, September 4, 1813, Scott, as an official obligation, called upon him and gave assurance that he should continue to execute, with zeal and alacrity, all duties that might be assigned to him. In less than a month (October 2) Wilkinson and nearly the whole regular force on the Niagara moved down Lake Ontario in the further prosecution of the campaign. Scott was left in command of Fort George, with some seven hundred regulars, and a detachment of Colonel Swift's regiment of militia. One entire side of the fort—then undergoing an extension—was still perfectly open. The enemy—remaining in undiminished force, within five miles, and whom Wilkinson had declined to attack—could not be ignorant of the weakness of Scott's position. An early assault seemed, therefore, inevitable. Each officer (including the commander) and man worked upon the defences from fourteen to twenty hours a day. By the fourth night, however, so great

Stony Creek, in June. Scott was personally acquainted with him. Each, as chief of the staff, in his own army, was the correspondent of the other on the official business common to their commanders. In that way they had personally met with escorts, and under flags of truce. The intimacy thus formed was turned to a good account (in 1839), as will be seen in the sequel.

had been the progress of these labors, that all became anxious for an attack. (The following official reports, taken from *American State Papers—Military Affairs*, pp. 482, 483, will carry forward the narrative as far as relates to the autobiographer.)

From Colonel Winfield Scott, of the 2d Artillery, to Major-General Wilkinson.

"Fort George, *October* 11, 1813.

"Within the last five minutes I have had the honor to receive your despatch by the *Lady of the Lake*, Captain Mix.

"The enemy has treated me with neglect. He continued in his old position until Saturday last (the 9th inst.), when he took up his retreat on Burlington Heights, and *has abandoned the whole peninsula.* Two causes are assigned for this precipitate movement —the succor of Proctor, who is reported to be entirely defeated, if not taken; the other, the safety of Kingston, endangered by your movement.

"We have had from the enemy many deserters, most of whom concur in the latter supposition.

"The British burnt everything in store in this neighborhood;—three thousand blankets, many hun-

dred stand of arms; also the blankets in the men's packs, and every article of clothing not in actual use.

"They are supposed to have reached Burlington Heights last evening, from the rate of their march the night before. I have information of their having passed 'the 40'* by several inhabitants who have come down. They add to what was stated by the deserters, that two officers of the 41st had joined General Vincent from Proctor's army, with information that Proctor was defeated eighteen miles this side of Malden. I cannot get particulars.

"From the same sources of intelligence it appears that the 49th, a part of the 100th, and the Voltigeurs, moved from this neighborhood the day after our flotilla left this, the 3d inst.; but with what destination is not certainly known.

"It was first reported (I mean in the British camp) that these regiments had marched to support Proctor, who, it is said, wrote that he would be compelled to surrender, if not supported.†

* Forty Mile Creek—that distance from Niagara.

† Proctor was defeated, and the British and Indian force in the northwest routed, on the 5th of October, 1813.

The rumor which Scott speaks of was six days after the event, and

"I am pretty sure, however, that they are gone below. The movement of our army seems to have been known in the British lines as early as the 3d inst., together with the immediate objects in view: hence I have no difficulty in concluding that all the movements of the enemy will concentrate at Kingston.

* * * * "I had made this morning an arrangement, on application to General McClure, to be relieved in the command of this post, on the morning of the 13th inst., with an intention of taking up my line of march for Sackett's Harbor, according to the discretion allowed me in the instructions I had the honor to receive from you at this place. My situation has become truly insupportable, without the possibility of an attack at this post, and without the possibility of reaching you in time to share in the glory of impending operations below. I am, however, flattered with the assurance that transports will be forwarded for my removal; and to favor that impression, I propose taking up my line of march on the morning of the 13th for the mouth of Genesee River, and there await the arrival of the vessels you are good enough to promise me. By

was no doubt brought in either by officers or Indians from the defeated army.

this movement Captain Mix thinks with me, that I shall hasten my arrival at Sackett's Harbor five, possibly ten days. Captain Camp * (the quartermaster) has a sufficient number of wagons to take me thither. I can easily make that place by the evening of the 15th. I hope I shall have your approbation, and everything is arranged with Brigadier McClure. * * * * I have, by working night and day, greatly improved the defences of this post, and nearly filled up the idea of the engineer. I flatter myself that I have also improved the garrison in discipline." * * * *

Wilkinson's abortive campaign ended, Scott was called to Washington for a day or two.

Extracts of a Letter from Colonel Winfield Scott to the Secretary of War.

"GEORGETOWN, December 31, 1813.

"At your desire, I have the honor to make the following report:—I left Fort George on the 13th of October last, by order of Major-General Wilkinson with the whole of the regular troops of the garrison,

* Colonel J. G. Camp, a distinguished officer in the campaign of 1814, on the Niagara.

and was relieved by Brigadier-General McClure,* with a body of the New York detached militia.

" Fort George, as a field work, might be considered as complete at that period. It was garnished with ten pieces of artillery (which number might easily have been increased from the spare ordnance of the opposite fort), and with an ample supply of ammunition, etc., as the enclosed receipt for those articles will exhibit.

" Fort Niagara, on the 14th of October, was under the immediate command of Captain Leonard of the 1st artillery, who, besides his own company, had Captain Read's of the same regiment, together with such of General McClure's brigade as had refused to cross the river. Lieutenant-Colonels Fleming, Bloom, and Dobbins, of the militia, had successively been in command of this fort, by order of the brigadier-general, but I think neither of these was present at the above period. Major-General Wilkinson, in his order to me for the removal of the regular troops on that frontier, excepted the two companies of the 1st artillery, then at Fort

* On the approach of the enemy, McClure evacuated the fort and burnt the adjoining village—then Newark, now Niagara. This soon led to the devastation of that entire frontier, including Buffalo. So prone are men to imitate *evil* examples!

Niagara. And under the supposition that I should meet water transportation for my detachment at the mouth of Genesee River, I had his orders to take with me the whole of the convalescents left in the different hospitals by the regiments which had accompanied him. This order I complied with."

Notwithstanding Chauncey's promise to send transports to the Niagara, and Wilkinson's, to the mouth of the Genesee, Scott, on arriving at the latter, found only the despatch vessel, *The Lady of the Lake*, with a letter from the commodore saying that, contrary to his entreaties, Wilkinson would not allow any part of the fleet to be absent four days without throwing the responsibility, in case of a failure of his expedition wholly on the navy. Hence Scott was forced to continue his march upon Sackett's Harbor, *via* Canandaigua, Utica, Booneville, etc. The rainy season had commenced, and the bad roads were daily becoming worse. Fortunately he met north of Utica the Secretary of War, General Armstrong, returning from Sackett's Harbor, who had seen Wilkinson depart thence for Montreal; but thinking that Scott, by leaving his column under the next in rank (Hindman), and

striking off to the right, *via* Malone, might intercept the descent—gave the colonel permission to make the attempt. Riding diligently for some thirty hours, with his adjutant Jonathan Kearsley—who early won the rank of major by distinguished gallantry, but so maimed as to be thrown out of the field—Scott struck the river at Waddington many miles below Ogdensburg where Wilkinson, with his usual dilatoriness, had been making preparations to pass the enemy's fort—Wellington—opposite. After a short sleep and change of horses, Scott was again in the saddle, and reported himself at headquarters November the 6th, just in time to pass the enemy's fire in the headmost and largest craft in the whole flotilla. The scene was most sublime. The roar of cannon was unremitting, and darkness rendered visible by the whizzing and bursting of shells and Congreve rockets.

The next day Scott was assigned to a fine battalion of grenadiers, in the *corps d'élite*, under the senior colonel, Macomb, who was in the advance, and thus the former became the commander of the advance of that corps—which placed him in the lead of the whole army. Hastening to his position he found the grenadiers in boats and pushing off shore. He had but time

to leap aboard, when, being recognized, loud cheers welcomed the new commander.

The first object was to take Fort Matilda, that commanded the narrowest point in the St. Lawrence. Scott landed about sunset a little above the work, and was there met by a detachment of the enemy that proved to be the garrison of Matilda—believed, by them, to be untenable. A sharp affair ensued. The advance made some prisoners, among them an officer; killed or wounded many men, and dispersed the remainder.

Descending the river the advance had, on the 11th of November a more serious affair at Hooppole Creek, a little above Cornwall. Here were met, under Lieutenant-Colonel Dennis, an officer of merit, a force equal to Scott's (about eight hundred men) in position to defend the bridge. Leaving Captain McPherson with a light field battery—other troops were coming up—to amuse the enemy, Scott stole a march of nearly a mile to the left, and forded the creek which, making an acute angle with the river below, gave the hope of hemming in and capturing the whole of the enemy. Dennis discovered the movement in time to save by a precipitate retreat the main body of his men. The

rear, however, was cut off, and many stragglers picked up in a hot pursuit that was continued into the night.

This affair, and the disaster at Chrystler's Field, fifteen miles in the rear, occurred the same day, and were the principal conflicts of Wilkinson's famous campaign—begun in boastings, and ended in deep humiliation! Montreal was still within the easy grasp of half the troops disgraced by their commanders at Chrystler's Field; but the fatuity of the general-in-chief (and of others) made success almost impossible. The army, in disgust, retreated out of Canada; ascended the Salmon River, and passed the winter at The French Mills—since called Fort Covington—in latitude 45°.

CHAPTER IX.

REFLECTIONS ON PAST DISASTERS—CALLED TO WASHINGTON—BUFFALO—CAMP OF INSTRUCTION—CAMPAIGN OF 1814 OPENED.

THE patriot reader, stirred with indignation at the deplorable loss of national character, life, and property sustained by Hull's surrender; the surprise of Chandler at Stony Creek; the capture of Boerstler at the Beaver Dams; the abandonment of Fort George, by McClure; the vacillation and helplessness of at least three generals and many colonels in the disaster of Chrystler's—will ask, at every turn: What! Shall not fatuity, incapacity, ignorance, imbecility—call it as you may—in a commander—of whatever rank—be equally punished with cowardice, or giving aid and comfort to the enemy? Shall a dull man, who ascer-

tains that he can get a little money in the army—not having the ability to earn his bread at home—and, accordingly, obtains a commission? Shall a coxcomb, who merely wants a splendid uniform to gratify his peacock vanity—be allowed unnecessarily to lose his men by hundreds, or by thousands, to surrender them in mass, or to cause them to be beaten by inferior numbers;—shall such imbeciles escape ignominious punishment? In every such case, Humanity—as loudly as Justice—calls for death.

In the *Analectic Magazine* (Philadelphia) for December, 1814, there is a "Biographical Sketch of Major-General Scott," signed *V.*—understood to be the distinguished scholar and statesman—the Honorable Gulian C. Verplanck—containing reflections of great beauty, force, and value on the same campaign. The writer says:

"From whatever cause it proceeded, individual bravery and enterprise had been uniformly rendered abortive by a long series of delays and blunders. The patriot, who, regardless of party considerations, looked solely to the national honor and welfare, still continued to turn away his eyes from the northern frontier—

'heartsick of his country's shame.' Even the most zealous partisans of the measures of the administration did not dare to do justice to the numerous examples of prowess and conduct which had been displayed in our armies in the course of the campaign of 1813. It was scarcely suspected by the public, that this period of disaster had served as a touchstone on which the true temper of our army had been thoroughly tried, so that it had now become easy to select the pure metal from the dross; that in this hard school of adversity many brave and high-spirited young men had been formed into accomplished officers, and, on the other hand, many an empty fop, young and old, who had been seduced into the service by the glitter of epaulets and lace, and military buttons, had been severely taught his incompetency. The rude northern gales of the frontier had swept away the painted insects which rise and spread their wings in the summer sun, but served only to rouse and invigorate those eagle spirits who, during the calm, cower undisturbed in solitude and silence, but as the tempest rises burst forth from their obscurity, and stem the storm, and sport themselves in the gale."

Early in 1813, the great contest on Lake Ontario commenced between the ship carpenters at Kingston, under Sir James Yeo, and the ship carpenters, under Commodore Chauncey, at Sacketts Harbor. He that launched the last ship sailed in triumph up and down the lake, while his opponent lay snug, but not inactive, in harbor. This was (say) Chauncey's week of glory. Sir James's was sure to follow, and Chauncey, in turn, had to chafe in harbor, while preparing another launch for recovering the mastery of the lake. This contest might have been continued, without the possibility of a battle for an indefinite time. It did not end with 1814; for the treaty of peace (February, 1815) found on the stocks, at Sacketts Harbor, two mammoth ships —the Chippewa and New Orleans—pierced for more than a hundred guns each, only waiting for a thaw; and Sir James Yeo was always ready to match launch with launch.

Thus the two naval *heroes of defeat* held each other a little more than at arms-length—neither being willing to risk a battle without a decided superiority in guns and men; and if Wilkinson complained of the non-capture of the British fleet, Chauncey was ready with the retort that Wilkinson ought first to deprive

that fleet of its safe refuge by taking Kingston. In fact, in the plan of operations prescribed to Wilkinson the capture of Kingston was suggested as an early object of attention. Wilkinson, however, as we have seen, preferred to take Montreal! Here then was found, in this extraordinary campaign, more than one case of (seeming) matchless imbecility, well matched.

This war was not sprung upon the United States by surprise. From time to time, and for years, wrong upon wrong had plainly admonished that base submission or resistance *à outrance* was inevitable, and the weaker party had the choice of time. Yet there was but slight augmentation of the land and naval forces, even under such powerful inducements, and no system of finance established. Loans, it is true, were authorized; but no adequate means provided for interest and redemption. Hence, from the beginning to the end of hostilities, there was a want of money and men. Indeed, seven tenths of the moneyed capital of the land were in the hands of the war's bitterest opponents. With money, men might have been obtained, and with men, victories would have inspired confidence, and thus the cupidity of capitalists allured. Hence it was that our fifty-odd regular regiments were mostly skeletons

(scarcely one ever half full) during the war, and we always in our triumphs, attacked or defended with inferior numbers, except in a few instances, when equality was made up by raw volunteers or militia—oftener an element of weakness than of strength. This was extremely discouraging to commanders, like Scott, whose rank, zeal, and efficiency threw them into the front of every movement.

It has been seen that Colonel Scott, about the end of the year 1813, was called to Washington by desire of the President. He had had only three interviews with him and Mr. Secretary Armstrong, when a deputation from Western New York, headed by the Hon. John Nicholas, of Geneva (ex-M. C. from Virginia) arrived, to demand that Scott might be sent to make head against the enemy on the Niagara frontier, which had just been devastated by Major-General Riall, in retaliation (as alleged) for McClure's burning the village of Newark. Riall having, by a rapid movement, dismayed and scattered the militia from Lake Ontario to Lake Erie almost without firing a gun, it was not known how far he might extend his triumphant march into the interior. For a time the alarm extended as far east as Geneva and Canandaigua. Scott was hasti-

ly despatched accordingly; but instructed to stop a moment at Albany, in order to make requisitions upon the Governor for fresh levies of militia; to prepare field trains, with ammunition, etc., etc., for his new mission, and in order that the appointment of brigadier-general might overtake him, as, without promotion, he could not command any militia general officer. But it was soon known at Washington that the enemy had quietly recrossed the Niagara, and as the War Department wished about this time to make a number of new generals at once, Scott's promotion was made to wait for the selection of the other names. In the mean time he continued to assist in the Albany arsenal in the preparation of the *matériel* of war for the impending campaign, under the valuable instructions of Colonel Bomford, who was well skilled in such operations.

At this dark period of the war, Albany, rather than Washington, was the watchtower of the nation, and here Scott, during this hindrance on the route to Canada, was, by the desire of the President, and their cordial reception, in frequent consultation—on high political and military matters—with those distinguished statesmen and patriots—Governor Tompkins and

Judges Spencer and Thompson—ever afterward his special friends. Two other eminent citizens—Messieurs Jenkins and Bloodgood—were often present, and indeed it was at the board of some one of the five—all hospitable—that these confidential interviews were usually held. In the North Judge Spencer was, truly, very like Judge Spencer Roane in the South—the master spirit of the war;—a man that never doubted, when duty called, or shirked an opinion. With him, it was but a word and a blow. "*Down with that man!* a poltroon, a traitor." "*Up with this man!* the country needs his services." And the result was, very generally, in accordance with the *dictum.*

It may be mentioned, in this connection, that the late ex-President Van Buren—then just emerging into distinction, a State senator and adjunct counsel in the prosecution of Hull before a general court martial—now began to make time, from the labors of the Senate and the bar, to mix a little in the *réunions* alluded to. He ably supported the war, and had the confidence of all its friends.

Finally, about the middle of March, 1814, Scott received, at the age of twenty-seven and nine months, the long-coveted rank of brigadier-general. His prep-

arations had been made in advance, and the next morning he was in the saddle for where

"Niagara stuns with thundering sound."

Major-General Brown, appointed to command the entire frontier of New York, had marched some days earlier from the French Mills for the same destination, with the 9th, 11th, 21st, 22d, 23d, and 25th regiments of infantry (not one of them half full); several field batteries and a troop of light dragoons. Scott joined him some miles east of Buffalo, March 24, 1814. Brigadier-General Ripley, Scott's junior, was with those troops.

The major-general, though full of zeal and vigor, was not a technical soldier: that is, knew but little of organization, tactics, police, etc., etc. He, therefore, charged Scott with the establishment of a camp of instruction at Buffalo, and the preparation of the army for the field by the reopening of the season. In the mean time—and while waiting for the recruits (which never came) to fill up the regiments—Major-General Brown returned to the right wing of his department—then called *District*, No. 9—headquarters, Sackett's Harbor.

The spring, in the region of Buffalo, is, till late in May, inclement, and March quite wintry. No time, however, was lost; the camp was formed on very eligible ground; the infantry thrown into first and second brigades—the latter under Ripley, and the service of outposts, night patrols, guards, and sentinels organized; a system of sanitary police, including kitchens, etc., laid down; rules of civility, etiquette, courtesy—the indispensable outworks of subordination—prescribed and enforced, and the tactical instruction of each arm commenced. Nothing but night or a heavy fall of snow or rain was allowed to interrupt these exercises on the ground—to the extent, in tolerable weather, of ten hours a day, for three months. As relaxation, both officers and men were thus brought to sigh for orders to beat up the enemy's quarters; but the commander knew that such work could not be effectually done without the most laborious preparation. His own labors were heavy and incessant. Take for illustration *infantry tactics;* the basis of instruction for cavalry and artillery as well. As Government had provided no text book Brigadier-General Scott adopted, for the army of the Niagara, the French system, of which he had a copy in the original, and there was in

camp another, in English—a bad translation. He began by forming the officers of all grades, indiscriminately into squads, and personally instructed them in the schools of the soldier and company. They then were allowed to instruct squads and companies of their own men—a whole field of them under the eye of the general at once, who, in passing, took successively many companies in hand, each for a time. So, too, on the formation of battalions; he instructed each an hour or two a day for many days, and afterward carefully superintended their instruction by the respective field officers. There was not an old officer in the two brigades of infantry. Still, if the new appointments had been furnished with a text book, the saving of time and labor would have been immense.

The brigadier-general's labors were about the same in respect to lessons on subjects alluded to above, other than tactics (measures of safety to a camp, near the enemy; police, etiquette, etc.). No book of general regulations or *Military Institutes*, had been provided. This great want he had to supply orally and by written orders. (It will be seen that text books on all the foregoing subjects were subsequently prepared and published by the autobiographer.)

The *evolutions of the line*, or the harmonious movements of many battalions in one or more lines, with a reserve—on the same principle that many companies are manœuvred together in the same battalion, and with the same ease and exactness—were next daily exhibited for the first time by an American army, and to the great delight of the troops themselves, who now began to perceive why they had been made to fag so long at the drill of the soldier, the company, and the battalion. Confidence, the dawn of victory, inspired the whole line.

Toward the end of June, 1814, Major-General Brown returned from the right to the left wing of his district, to open the campaign on the Niagara, though it had become rather the expectation, if not the desire of the War Department, that that service should be left to Scott, the immediate commander. The regiments from the failure to obtain recruits, were still but skeletons. Their high instruction on all points of duty won for them, however, the major-general's admiration.

With a view to the *prestige* of the day, Scott rather wished to make the descent on our national anniversary; but Brown's impatience being equal to his vigor, we anticipated a day, although the means of passing

the foot of Lake Erie to attack the fort of that name opposite to Buffalo, were not all quite in position. For the preparation of those means, the army was indebted to the extraordinary zeal and abilities of its quartermaster, Captain John G. Camp, who, with other high claims to promotion, continued the chief in that branch of the staff throughout the campaign, without other reward than compliments.*

Scott, with his brigade led, followed by Major Hindman's artillery, Brigadier-General Ripley's brigade of regulars, and Brigadier-General P. B. Porter's brigade of militia; Ripley was ordered to land above the fort. Scott, in the first boat, with some one hundred and fifty men and accompanied by his staff—Captain Camp, the quartermaster (a volunteer for the nonce), and Lieutenants Gerard D. Smith, W. J. Worth, and George Watts—steered for the shore, a little below the point of attack. The place of landing proved to be a cove, swept by a whirlpool. The night (about 2 o'clock A. M.) was rather dark; but the enemy, perceiving the approach, planted a detachment to oppose the landing. Near the shore, when the enemy's fire began to be a

* He was disbanded in 1815; made and lost fortunes in Buffalo and Sandusky; was several years Marshal in Florida, and died in 1860.

little galling upon the crowd in the boats, Scott had a most critical adventure. Sounding with his sword, he found the water less than knee deep, when personally leaping out, instead of giving the command—*follow me!* had scarcely time to exclaim—*too deep!* to save hundreds from drowning; for, at the instant, before leaping, his boat had taken a wide sheer, and he had to swim for his life, equally in jeopardy from fire and water—encumbered with sword, epaulets, cloak, and high boots. It was a minute or two, still under fire, before the boat could be brought back to pick him up. Again the first in the water, and promptly followed by detachments of his brigade, the shore was cleared at once, and the fort invested below just as the other troops were landing.

The fort, like its garrison, being weak, and no known succor at hand, a formidable resistance could not be offered. Some heavy pieces of artillery were placed in battery and a few shots exchanged, when the major-general asked Scott to name an officer to bear, under a flag of truce, his demand for a surrender. Major Jesup, of Scott's brigade, was selected for this honorable service, and articles of capitulation were soon agreed upon.

CHAPTER X.

RUNNING FIGHT—CHIPPEWA.

The night had been rainy; but a bright sun cheered the invaders on the morning of the glorious Fourth of July. To seek the enemy below, Scott was early detached with his brigade—the 25th Infantry, commanded by Major T. S. Jesup; the 9th by Major H. Leavenworth, and the 11th by Major J. McNiel, together with Captain S. D. Harris's troop of light dragoons, and the light batteries under Major Hindman, of Captains N. Towson and Thomas Biddle of Scott's late regiment of artillery.

Early in the march, a little above Blackrock, a considerable body of the enemy was discovered. It proved to be a corps of observation under the command of the

Marquess of Tweedale. All hearts leaped with joy at the chance of doing something worthy of the anniversary, and to cheer our desponding countrymen at home—something that might ever, on that returning day—

"Be in their flowing cups, freshly remembered."

The events of the day, however, proved most tantalizing. An eager pursuit of sixteen miles ensued. The heat and dust were scarcely bearable; but not a man flagged. All felt that immortal fame lay within reach. The enemy, however, had the start in the race by many minutes; but his escape was only insured by a number of sluggish creeks in the way, each with an ordinary bridge, and too much mud and water to be forded near its mouth. The floors of those bridges were, in succession, thrown off by the marquess, but he was never allowed time to destroy the sleepers. Taking up positions, however, to retard the relaying the planks, obliged Scott to deploy a part of his column and to open batteries. The first bridge, forced in that way, the chase was renewed, and so was the contest at two other bridges, precisely in the manner of the first and with the same results. Finally, toward sunset, the enemy were driven across the Chippewa River behind

a strong *tête de pont*, where they met their main army under Major-General Riall.

This running fight, of some twelve hours, was remarkable in one circumstance: in the campaigns of the autobiographer, it was the first and only time that he ever found himself at the head of a force superior to that of the enemy in his front: their relative numbers being, on this occasion, about as four to three.

The Marquess of Tweedale, a gallant soldier, on a visit to the United States soon after peace, made several complimentary allusions to the prowess of our troops in the war, and particularly to the events of the 4th of July, 1814, on the Niagara—among them, that he could not account for the impetuosity of the Americans, in that pursuit, till a late hour, when some one called out—*it is their National Anniversary!* *

The proximity of Riall reversed the strength of the antagonists, and Scott, unpursued, fell back a little more

* Scott passing through London, in 1815, to Paris, met the Marquess of Tweedale in the street, when the parties kindly recognized each other. The latter was on the point of setting out for Scotland, and the former for France. Scott was assured of a welcome at Yester House, the seat of the marquess, if he should visit Scotland. This meeting soon became strangely misrepresented, on both sides of the Atlantic, to the great annoyance of the parties.

than a mile, to take up a strong camp behind Street's Creek, to await the arrival of the reserve under Major-General Brown. The junction took place early in the morning of the 5th.

Brown lost no time in giving orders to prepare the materials for throwing a bridge across the Chippewa, some little distance above the village and the enemy at its mouth. (There was no travelling *ponton* with the army.) That work was put under the charge of our able engineers, McRee and Wood—the wise counsellors of the general-in-chief. This was the labor of the day. In the mean time the British militia and Indians filled the wood to our left and annoyed the pickets posted in its edge. Porter's militia were ordered to dislodge the enemy, and much skirmishing ensued between the parties.

The anniversary dinner cooked for Scott's brigade, with many extras added by him in honor of the day, happily came over from Schlosser on the 5th, and was soon despatched by officers and men, who had scarcely broken fast in thirty-odd hours.

To keep his men in breath, he had ordered a parade for grand evolutions in the cool of the afternoon. For this purpose there was below the creek, a plain extend-

ing back from the Niagara of some hundreds of yards in the broader part, and a third narrower lower down. From the dinner, without expecting a battle, though fully prepared for one, Scott marched for this field. The view below from his camp was obstructed by the brushwood that fringed the creek; but when arrived near the bridge at its mouth, he met Major-General Brown, coming in at full gallop, who, in passing, said with emphasis: *You will have a battle!* and, without halting, pushed on to the rear to put Ripley's brigade in motion—supposing that Scott was perfectly aware of the near approach of the entire British army and going out expressly to meet it. The head of his (Scott's) column had scarcely entered the bridge before it was met by a fire, at an easy distance, from nine field guns. Towson's battery quickly responded with some effect. The column of our infantry, greatly elongated by the diminution of front, to enable it to pass the narrow bridge, steadily advanced, though with some loss, and battalion after battalion when over, formed line to the left and front, under the continued fire of the enemy's battery. When Scott was seen approaching the bridge, General Riall, who had dispersed twice his numbers the winter before, in his expedition

on the American side, said: *It is nothing but a body of Buffalo militia!* But when the bridge was passed in fine style, under his heavy fire of artillery, he added with an oath: *Why, these are regulars!* The gray coats at first deceived him, which Scott was obliged to accept, there being no blue cloth in the country. (In compliment to the battle of Chippewa, our military cadets have worn gray coats ever since.) Two hostile lines were now in view of each other, but a little beyond the effective range of musketry.

It has been seen that the model American brigade, notwithstanding the excessive vigor and prowess exerted the day before, had failed in the ardent desire to engraft its name, by a decisive victory, on the great national anniversary. The same corps again confronting the enemy, but in an open field, Scott, riding rapidly along the line, threw out a few short sentences—among them, alluding to the day before, was this: *Let us make a new anniversary for ourselves!* Not finding his name in the official paper (Gazette) after his handsome services at the capture of Bastia and Calvi, early in his career, Nelson with the spirit of divination upon him, said: "Never mind; I will have a Gazette of my own." A little arrogance, near the

enemy, when an officer is ready to suit the action to the word, may be pardoned by his countrymen. And it has often happened, if not always, when Fourths of July have fallen on Sundays, that Chippewa has been remembered at the celebrations of Independence on the 5th of July.

The brigade had scarcely been fully deployed, when it was perceived that it was outflanked by the enemy on the plain, besides the invisible force that had just driven Porter and the militia out of the wood. Critical manœuvring became necessary on the part of Scott; for the position and intentions of Brown, with Ripley and Porter, were, and remained entirely unknown to him till the battle was over. The enemy continuing to advance, presented a new right flank on the widened plain, leaving his right wing in the wood which Scott had caused to be confronted by Jesup's battalion, the 25th Infantry, which leaped the fence, checked, and soon pushed the enemy toward the rear. At the same time having ordered that the right wing of the consolidated battalion (9th and 22d Infantry) commanded by Leavenworth, should be thrown forward, with Towson's battery on the extreme right, close to the Niagara, Scott flew to McNiel's battalion,

the 11th Infantry, now on the left, and assisted in throwing forward its left wing. The battalions of Leavenworth and McNiel thus formed, pointed to an obtuse angle in the centre of the plain, with a wide interval between them, that made up for deficiency of numbers. To fire, each party had halted more than once, at which the Americans had the more deadly aim. At an approximation to within sixty or seventy paces, the final charge (mutual) was commenced. The enemy soon came within the obliqued battalions of Leavenworth and McNiel. Towson's fire was effective from the beginning. At the last moment, blinded by thick smoke, he was about to lose his most effective discharge, when Scott, on a tall charger, perceiving that the enemy had come within the last range of the battery, caused a change that enfiladed many files of the opposing flank. The clash of bayonets, at each extremity, instantly followed, when the wings of the enemy being outflanked, and to some extent doubled upon, were mouldered away like a rope of sand. It is not in human nature that a conflict like this should last many seconds. The enemy's whole force broke in quick succession and fled, leaving the field thickly strewn with his dead and wounded. The victory was

equally complete in front of Jesup. A hot pursuit was continued to within half gunshot of the batteries at Chippewa Bridge, to gather up prisoners and with good success. Returning, Scott met Major-General Brown coming out of the forest, who, with Ripley's regulars and the rallied militia of Porter, had made a wide circuit to the left, intending to get between the enemy and the Chippewa, and this might have been effected if the battle had lasted a half hour longer; but suppose that Scott in the mean time had been overwhelmed by superior numbers!

The term *charge* occurs several times above, and often in military narratives. A word to explain its professional meaning may be acceptable. General Moreau, when in America, remarked that in all his campaigns he had "never known anything approaching to a *general* conflict of bayonets;" though perhaps in all battles between infantry, a few files at a time, or small parts of opposing lines (as at Chippewa) come into the deadly rencounter.

"A *charge*, in military phrase, is said to be made, when either party stops firing, throws bayonets forward, and advances to the shock, whether the enemy receive it or fly. An actual crossing of bayonets,

therefore, is not indispensable to the idea of a charge. To suppose it is, is a mistake. Another popular error is, that the parties come up to the shock in parallel lines. Such a case has rarely, if ever, occurred. Each commander always seeks by manœuvring to gain the oblique position, and, if possible, to outflank his enemy. With superior forces both advantages may easily be gained; but with inferior numbers the difficulty is extreme. The excess on the part of the enemy can only be overcome by celerity of movement, accuracy, hardihood, skill, and zeal."*

Few men now alive are old enough to recall the deep gloom, approaching to despair, which about this time oppressed the whole American people—especially the supporters of the war. The disasters on the land have been enumerated, and now the New England States were preparing to hold a convention—it met at Hartford—perhaps to secede from the Union—possibly to take up arms against it. Scott's brigade, nearly all New England men, were most indignant, and this was the subject of the second of the three pithy remarks made to them by Scott just before the

* This paragraph is taken from Mansfield's life of the autobiographer, but was originally furnished (substantially) in the notes of the latter.

final conflict at Chippewa. Calling aloud to the gallant Major Hindman, he said: "*Let us put down the federal convention by beating the enemy in front. There's nothing in the Constitution against that.*" *

History has recorded many victories on a much larger scale than that of Chippewa; but only a few that have wrought a greater change in the feelings of a nation. Everywhere bonfires blazed; bells rung out peals of joys; the big guns responded, and the pulse of Americans recovered a healthy beat.

* The third, addressed to the 11th Infantry, at the last moment, was this: *The enemy say that Americans are good at long shot; but cannot stand the cold iron. I call upon you instantly to give the lie to the slander. Charge!*

CHAPTER XI.

INVESTMENT OF FORTS—BATTLE OF NIAGARA OR LUNDY'S LANE.

The enemy being again in the strong position behind the Chippewa, the preparation of materials for the bridge was renewed early on the 6th, but before they were quite ready, Major-General Riall decamped; sent reënforcements to his works at the mouth of the Niagara, struck off to the left at Queenstown and returned with the remainder of his army to Burlington Heights at the head of Lake Ontario. So it turned out, as we learned, in a day or two. Scott's brigade was again despatched in pursuit. He crossed the Chippewa Bridge early on the 7th and reported from Queenstown the ascertained movements of Riall.

Major-General Brown determined to attack the

forts (George and Messassauga) at the mouth of the river, and accordingly marched his whole force upon them—Scott always in the lead. Perhaps it had been better, after masking those works, to have moved at once upon Riall. But arrangements had been made between the general-in-chief and Commodore Chauncey for siege guns to be brought up by our ships of war; for the Niagara army had not a piece heavier than an 18-pounder. The forts were invested: Messassauga, built since McClure evacuated George, the year before.

The investment was maintained till the 23d of July, when Chauncey reported that he could not comply with his promise. The reason being that it was Sir James Yeo's turn to hold the mastery of the lake.

Major-General Brown, thinking it would be more difficult to find than to beat Riall in the Highlands about the head of the lake, now resolved to try the effect of a stratagem to draw him out of his snug position. Accordingly, the Americans on the morning of the 24th assumed a panic; broke up camp and retreated rapidly up the river. There was only a moment's halt at Queenstown—to throw the sick across into hospital at Lewiston, until all were securely encamped above the Chippewa. The following was to be a day

of rest and to give Riall time to come down in pursuit. It was further arranged that Scott's brigade, reënforced, should early in the morning of the 26th return rapidly upon Queenstown, and if the stratagem proved a failure, then to trace up Riall and attack him wherever found. Consequently, it was intended that the 25th of July should be to the army a day of relaxation—without other duties than cleaning of arms, the washing of clothes, and bathing, except that Scott's troops were ordered to fill their haversacks with cooked provisions.

While all were thus unbuttoned and relaxed, a militia colonel, whose regiment occupied several posts on the American side of the river, sent a specific report to Major-General Brown that the enemy had thrown across, from Queenstown, to Lewiston, a strong body of troops, and as it could not be to disturb the small hospital at the latter place, Brown concluded the movement had in view the destruction of our magazines at Schlosser, and stopping the stream of supplies descending from Buffalo. Of course, Riall must have come down from the Highlands; but as one of our brigades had beaten his entire force, twenty days before, it was difficult to believe he had risked a division of his weak-

ened army so near to the superior numbers of Brown; for not a rumor had reached the latter that Riall had been reënforced. Indeed it was only known, from Chauncey, at Sackett's Harbor, that Sir James Yeo had possession of the lake; for Brown's means of secret intelligence, if any, were of no avail. In this state of ignorance, but confidence in the report received, Brown ordered Scott, with his command, to march below, to find the enemy and to beat him. It was now in the afternoon, and all had dined. In less than thirty minutes, the splendid column—horse, artillery, and infantry—had passed the bridge at the village of Chippewa, and was in full march for Queenstown (nine miles below), intending no halt short of that point. But *l'homme propose et Dieu dispose.* Turning the sweep the river makes a mile or two above the Falls, a horseman in scarlet was from time to time discovered peeping out from the wood on the left, and lower down, the advance guard, with which Scott rode, came upon a house (Forsyth's) from which two British officers fled just in time to escape capture. Only two inhabitants had been seen in the march, and these, from ignorance or loyalty, said nothing that did not mislead. The population was hostile to Americans.

From such indications it seemed evident that there was a corps of observation in the neighborhood, and Scott so reported to headquarters; but from the information on which he had advanced, it could only be a small body, detached from an inferior army that had committed the folly of sending at least half of its numbers to the opposite side of the river. There was, therefore, no halt and no slackening in the march of the Americans. Passing a thick skirt of wood that crossed the road nearly opposite to the Falls, the head of the column emerged into an opening on the left in full view, and in easy range of a line of battle drawn up in Lundy's Lane, more extensive than that defeated at Chippewa.

Riall's whole force was in the lane; for, it turned out not only not a man had been thrown over the river, but that the night before Lieutenant-General Sir Gordon Drummond had arrived by the lake with a heavy reënforcement, and had pushed forward his battalions (sixteen miles) as they successively landed. One was already in line of battle, and the others were coming up by forced marches.

The aches in broken bones feelingly remind the autobiographer of the scene he is describing, and after

the lapse of nearly fifty years he cannot suppress his indignation at the blundering, stupid report made by the militia colonel to his confiding friend Major-General Brown.

Jesup's battalion (the 25th), marching in the rear, was detached to the right, covered by brushwood, between the road and the river, to turn the enemy's left. Hindman, with Towson's and Thomas Biddle's batteries, the 9th and 22d consolidated under Colonel Brady, and the 11th (McNiel's) were, as they preceded Jesup, deployed to the left in the open space, when a tremendous fire of all arms responded to that of the enemy. At the discovery of the formidable line, Scott despatched another staff officer to the general-in-chief, who was still in his camp (nearly three miles off) with a promise to maintain his ground till the arrival of the reserve. Nothing was more difficult.

At the moment of this promise—whether it might not be his duty to fall back? was rapidly considered. But for some particular circumstances that alternative should have been adopted; but the brigade was, from the first, under a heavy fire, and could not be withdrawn without a hot pursuit. Being but half seasoned to war, some danger of confusion in its ranks, with the

certainty of throwing the whole reserve (coming up) into a panic, were to be apprehended; for an extravagant opinion generally prevailed throughout the army in respect to the prowess—nay, invincibility of Scott's brigade.

By standing fast, the salutary impression was made upon the enemy that the whole American reserve was at hand and would soon assault his flanks. Emboldened, however, a little by its non-arrival, an attempt was made to turn Scott's left. The 11th, that occupied that position, threw forward (under cover of a clump of trees) its right, and drove the enemy beyond reach.

Jesup, too, on our right, had brilliant success. In making the sweep around the enemy's left flank, he captured Major-General Riall and cut off a segment of his line. Sir Gordon Drummond, also, was for a moment a prisoner, but he contrived to escape in the dusk of the evening. Hindman's artillery, Brady's battalion, consolidated with Leavenworth's, had suffered and inflicted great losses under a direct fire, unremitted, till dusk. The 11th, partially covered, suffered less.

At this moment Major-General Brown and staff came up a little ahead of the reserve—of course, each with the bandage of night on his eyes: for it was now

dark—after nine o'clock in the evening. Scott gave the general the incidents of the battle, and the positions of the hostile forces on the field. It was known from prisoners that further reënforcements, from below, were soon expected. Not a moment was to be lost. By desire, Scott suggested that the heaviest battalion in the reserve, the 21st, which he had instructed at Buffalo, and was now commanded by Colonel Miller, should, supported by the remainder of Ripley's brigade, charge up the lane, take the enemy in flank, and roll his whole crumbled line back into the wood.

To favor this important movement, Scott, with the added force of Jesup, now back in line, ordered the attack, in front, to be redoubled; guided Brown, with Miller, through the darkness, to the foot of the lane, and then rejoined his own forces. Here he was assisted by the fresh batteries which came up with the reserve. The enemy, thus furiously assailed in front, remained ignorant of Miller's approach till the bayonets of his column began to be felt. The rout was early and complete, a battery captured, and many prisoners made.

Positions on the field had become reversed. The American line, reformed, now crossed that originally

occupied by the enemy at right angles, and facing the wood, with backs to the river. Here it took a defensive stand. The British slowly rallied at some distance in front. Being again in collected force and in returning confidence, they cautiously advanced to recover the lost field and their battery—the horses of which had been killed or crippled before the retreat. By degrees the low commands, *halt*, *dress*, *forward!* often repeated, became more and more audible in the awful stillness of the moment. At length a dark line could be seen, at a distance, perhaps, of sixty paces. Scott resolved to try an experiment. Leaving his brigade on the right, in line, he formed a small column of some two hundred and fifty men, and, at its head, advanced rapidly to pierce the advancing enemy's line, then to turn to the right, and envelop his extreme left. If pierced, in the dark, there seemed no doubt the whole would fall back, and so it turned out. Scott explained his intentions and forcibly cautioned his own brigade, and Ripley's on his left, not to fire upon the little column; but the instant the latter came in conflict with, and broke the enemy, Ripley's men opened fire upon its rear and left flank, and caused it to break without

securing a prisoner. The column resumed its place in line, and another pause in the battle ensued.

After a while, a second advance of the enemy was made with the same slowness as before. When within short musket-shot, there was an unexpected halt, instantly followed by the crack of small arms and the deafening roar of cannon. Each party seemed resolved to rest the hope of victory on its fire. The welkin was in a blaze with shells and rockets. Though both armies suffered greatly, the enemy suffered most. The scene, perhaps, including accessories, has never been surpassed. Governor Tompkins, with a keen perception of its splendor, said, in presenting a sword of honor to Scott: "The memorable conflict on the plains of Chippewa, and the appalling night-battle on the Heights of Niagara, are events which have added new celebrity to the spots where they happened, heightening the majesty of the stupendous cataract, by combining with its natural, all the force of the moral sublime."

It was impossible that this conflict should be endured for more than a very few minutes. The lines at some points were separated by only eight or ten paces. Nothing but a deep, narrow gully intervened in front of the 25th Infantry. Scott, inquiring of the com-

mander (Jesup) about a wound (in the hand) heard a call in the ranks—*Cartridges!* At the same moment a man reeling to the ground, responded—*Cartridges in my box!* The two commanders flew to his succor. The noble fellow had become a corpse as he fell. In the next second or two Scott, for a time, as insensible, lay stretched at his side, being prostrated by an ounce musket ball through the left shoulder joint. He had been twice dismounted and badly contused, in the side, by the rebound of a cannon ball, some hours before. Two of his men discovering that there was yet life, moved him a little way to the rear, that he might not be killed on the ground, and placed his head behind a tree—his feet from the enemy. This had scarcely been done, when he revived and found that the enemy had again abandoned the field. Unable to hold up his head from the loss of blood and anguish, he was taken in an *ambulance* to the camp across the Chippewa, when the wound was stanched and dressed.

On leaving the field he did not know that Major-General Brown, also wounded, had preceded him. By seniority the command of the army now devolved on Brigadier-General Ripley. It must then have been about midnight. Ripley, from some unknown cause,

became alarmed, and determined, in spite of dissuasion, to abandon the field, trophies, and all. The principal officers despatched a messenger to bring back Scott, but found him utterly prostrate. Toward day, some fragments of the enemy, seeking the main body, crossed the quiet field, and learning from the wounded that the Americans had flown, hastened to overtake Lieutenant-General Sir Gordon Drummond below, who returned, *bivouacked* on the field, and claimed the victory!

CHAPTER XII.

HORS DE COMBAT — PRINCETON COLLEGE — PHILADELPHIA —BALTIMORE—WASHINGTON.

THE following morning (July 26) Scott—for the next forty-one years a major-general—embarked for Buffalo, with some thirteen officers of his brigade, all badly wounded. Among these were two of his three staff officers—Brigade-Major Smith, and Aide-de-Camp Worth; Colonel Brady, one of the best soldiers and men of his day, etc., etc. The rowboat was large and unwieldy, and the soldiers (militiamen) selected as oarsmen, feeble and inexperienced; for Scott would not allow any man, effective in the ranks, to volunteer for the service. Two of the consequences were that on leaving the mouth of the Chippewa the boat narrowly

escaped passing over the Falls, and next, the row up the river was most tedious and distressing. The rest at Buffalo was short, and also at Williamsville, eleven miles east. Here Scott was joined by Major-General Riall, badly wounded when captured, and his friend (worse wounded) Lieutenant-Colonel John Moryllion Wilson,* one of the Chippewa prisoners.

These officers Scott placed on formal parole and obtained for them, from Government, as a special favor to himself, permission to return to England, after all like indulgences had ceased on the part of each belligerent.

His forced sojourn was longer at Batavia, in the

* This gallant officer, always (since) an invalid and friend of Scott, who was, in the time of William IV, in the household of the queen, and since in the government of Chelsea Hospital, still lives. He invested his little savings and wife's dower in Mississippi bonds, repudiated, mainly, by Mr. Jefferson Davis. It was Scott's strong statement of this interesting case, at the time, in a published article, that brought upon him afterward the persecutions of Mr. Davis as Mr. Pierce's Secretary of War. When it is added, *upon knowledge*, that the statements of Sir Phineas Riall and Sir John Moryllion Wilson, on their return home, contributed not a little to the liberal instructions given to the British Commissioners who signed the Treaty of Ghent, perhaps it may not be extravagant or too late to say, that generous Americans should make up, to Wilson's family, their losses by the Mississippi repudiation. Our distinguished countryman, George Peabody, London, is their friend.

comfortable house of his friend, Mr. Brisbane, where he was well nursed by the kindness of his excellent sister, afterward Mrs. Carey. But Batavia, exhausted of its comforts, became, in August, very sickly, and Scott's wounds were no better. For the same reason that he took the poor oarsmen, at Chippewa, he had selected an invalid surgeon for himself and wounded companions, who had not strength for hospital duty, and hardly enough to half dress the wounds of three officers twice a day. Without change, it became evident that the senior could not live. He procured a litter, and hired eight men (two reliefs) to bear him on it; but some of the principal citizens drove off the hirelings, and shouldered the litter themselves. It was thus, more than half dead, he was taken in triumph, by the gentlemen of the country, who relieved each other at the edge of every town, some seventy miles, to the house at Geneva, of another dear friend, the Honorable John Nicholas.

Here, besides the fine air, were "all appliances and means to boot," needed by Scott, except the higher skill in surgery. To obtain this he was most anxious to reach Doctor Physick, at Philadelphia.

Having by the kind nursing of Judge Nicholas's

family gained some strength, the new major-general was enabled to travel in an easy carriage, on a mattress, to Albany, where honors, as elsewhere, on the road, awaited him, and thence he had the benefit of steam to New York. Here another long journey, on a mattress, was to be undertaken. At Princeton College (Nassau Hall) a very interesting scene occurred. The invalid chanced to arrive at that seat of learning on *Commencement day* in the midst of its exercises, and made a short halt for rest. He was scarcely placed on a bed when a deputation from the Trustees and Faculty did him the honor to bear him, almost by main strength, to the platform of their body. This was in the venerable church where thousands of literary and scientific degrees had been conferred on pupils from all parts of the Union. The floor and galleries were filled to overflowing with much of the intelligence, beauty, and fashion of a wide circle of the country.

All united in clamorous greetings to the young wounded soldier (bachelor), the only representative that they had seen of a successful, noble army.

The emotion was overpowering. Seated on the platform, with the authorities, he had scarcely recovered from that burst of enthusiasm, when he was again

assailed with all the powers of oratory. The valedictory had been assigned to the gifted and accomplished Bloomfield McIlvaine, of the graduating class, the younger brother of the present most venerable bishop of Ohio. He had, without reference to any particular individual taken as his theme, the duty of a *patriot citizen in time of war;* in which *soldiership* was made most prominent. In a whisper, he obtained at the moment, permission of the Faculty to give to the whole address, by a few slight changes, a personal application. Here again there was a storm of applause, no doubt in the greater part given to the orator.* Finally the honorary degree of *Master of Arts*, conferred on the soldier, rounded off his triumphs of the day.

Flattered and feeble, the soldier at length reached Philadelphia. Dr. Physick, eminent as a physician, more eminent as a surgeon, and not less distinguished as a patriot, left a sickroom, for the first time in months, with his most accomplished and amiable nephew, Dr. Dorsey, to visit and heal his new patient. Before this great effort of science had been accomplished, Scott, in the command of the Philadelphia

* Though Mr. McIlvaine died very young, it was not before he had greatly distinguished himself at the Philadelphia Bar.

Department (district) was, early in October, ere he could walk or mount a horse without help, ordered to the district of Baltimore, then threatened with another joint attack by the army and fleet which had been so handsomely repulsed the month before. Here, Dr. Gibson, another eminent surgeon, at the end of some months, finally finished the case so happily commenced, without fee or reward, in Philadelphia.

Scott found a large force of militia assembled for the defence of Baltimore, which he was glad to discharge as the winter approached and the danger subsided. He visited, in the course of the winter, Washington and Fredericksburg, threatened by the enemy, and, as at all the points further north, was handsomely greeted and distinguished. But the crowning honor was conferred upon him in a resolution penned by the accomplished and rising statesman, William Lowndes—in which it is ordered that a gold medal "be struck, with suitable emblems and devices, and presented to Major-General Scott in testimony of the high sense entertained by Congress of his distinguished services in the successive conflicts of Chippewa and Niagara (or Lundy's Lane), *and of his uniform gallantry and good conduct in sustaining the reputation of the arms*

of the United States." It is believed that the second clause of this resolution contains a compliment not bestowed by Congress on any other officer whatever.

Early in December, and before he had visited Washington, inquiries were made of him and his physician, whether he could bear the journey to New Orleans, in order to assist Major-General Jackson in the defence of the Mississippi delta. Dr. Gibson replied that the principal wound of his patient was still open, requiring the most critical treatment, and moreover that he had not yet the strength to sustain a long journey. Thus the soldier of the Niagara lost the opportunity of sharing in Jackson's brilliant victories near New Orleans. He might in the beginning of the campaign, when he preferred the Northern frontier, have gone South if he had so chosen. But, as is said in Rasselas, "No man can, at the same time fill his cup from the source and from the mouth of the Nile."

His headquarters remained in Baltimore. When his health had improved a little, he was called twice to Washington for consultation on plans of campaign for 1815, and under a resolution of Mr. Lowndes—who, though he "never set a squadron in the field," and experimentally knew nothing of "the division of

a battle," was, as his correspondence with Scott showed, well acquainted with the subject—the latter was made president of a board of tactics, with, as associates, Brigadier-General Swift, Colonels Fenwick, Drayton, and Cumming.

About the same time he was appointed president of a court of inquiry in the case of Brigadier-General Winder. Both bodies sometimes met, at different hours, the same day. The treaty of peace arrived before the tactics were quite finished. The war was at an end. Scott's breast was violently agitated by opposite currents of feeling—joy for the country, whose finances were exhausted; disappointment at being cut off from another campaign in the rank of lieutenant-general; for it was in contemplation to confer that grade on Brown, Jackson, and himself.

CHAPTER XIII.

REDUCTION OF THE ARMY — VISIT TO EUROPE — ENGLAND —FRANCE.

The army had now to be reduced to a peace establishment—from, nominally, some sixty-five thousand, to ten thousand men; that is, we had officers for the larger number, but the regiments, as in the campaigns, were still skeletons. The reduction could not fail to fall heavily on the commissioned officers, as less than one in six could be retained in service.

The board, ordered for this painful duty met in May, 1815, and consisted of the six general officers previously selected by the President for the new establishment, viz.: Major-Generals Brown and Jackson, with four brigadiers, each a major-general by brevet—

Scott, Gaines, Macomb, and Ripley. Jackson and Gaines did not appear at all, and Brown arrived after the board had made good progress in its labors. In the mean time Scott had presided.

Mr. Monroe, since the previous autumn, had been alternately Secretary of State and acting Secretary of War, or the reverse. Wise, firm, patriotic, and indefatigable in the performance of every duty, his strength at length gave way. The Secretary of the Treasury, the Honorable Alexander J. Dallas, without neglecting one of its duties became acting Secretary of War, and it was under his judicious instructions that the board reduced the army. He it was, also, who put the new establishment in operation as smoothly as if he had been all his life a soldier. The autobiographer has known men as able as Mr. Dallas, but never one who combined so much talent for the despatch of business, with the graces of a gentleman and scholar.

At the ratification of the treaty of peace there was a strong inclination on the part of some members of Congress to make Scott Secretary of War, which he discouraged, emphatically, and next to engage him to act in that capacity, until the arrival of the new Secretary, Mr. Crawford, from his mission to France. This

proposition he also declined from a feeling of delicacy toward his seniors, Major-Generals Brown and Jackson, who would, nominally, have been under the command of the acting secretary.

At length, charged with limited diplomatic functions, for the execution of which on his return home, he was handsomely complimented by the Executive, Scott sailed for Europe, July 9, 1815, before the news of the battle of Waterloo had reached America. That great event burst upon him on the arrival (in eighteen days) at Liverpool, together with the astounding fact that Napoleon was a prisoner of war in an English port. After a partial glance at England, Scott hastened to cross the channel to see the assembled troops of Europe, for *la belle France* did not then belong to Frenchmen. A great nation, exhausted by the victories of mad ambition, had, in its turn, become conquered and subdued.

It was authentically ascertained that the foreign armies in France amounted to five hundred thousand men, besides another hundred thousand hovering about the frontiers. Nearly all these troops Scott saw reviewed at different points.

Dipping a little into society—French, Dutch, Ger-

man, and Italian, as well as English and Scotch—when returning homeward;—visiting theatres and libraries; glancing at the wonders of architecture, sculpture, and painting;—seeing a little of the interior of Oxford and Cambridge, and paying devotion to many scenes of historic fame—not one of which objects need be here described, first, because that has been done by scores of better pens; and next, because this is not a book of travels—Scott recrossed the Atlantic in 1816, a little improved both in knowledge and patriotism.

There were, however, a few incidents in his rapid tour, a slight notice of which (the greater number being more or less connected with America) may be interesting to his countrymen.

It was the fortune of the American to be almost daily in the galleries and halls of the Louvre, for weeks, immediately preceding the restoration of the foreign objects of the fine arts—trophies of French victories—where the frequent spectacle of emperors, kings, princes, dukes, marshals, and the rest of the *élite* of Europe, male and female, were seen passing along, as if in review, admiring the *chefs-d'œuvre* to the right and left. First came Alexander, as affable and courteous as a candidate for office, and his brother

emperor, Francis, grave to sadness. He had received heavy afflictions from the arms of France; had shifted sides at a critical moment, making his daughter a political widow, and his grandson, Napoleon II., an alien to France. These were ample grounds for shame and sorrow. The King of Prussia, too, had his griefs; was glum, incapable of any lively emotion, and goaded by his people to acts of revenge. Old Blucher, always by his side, had made secret preparations for blowing up the bridge of Jena, a beautiful object of art and of the greatest value to Parisians. Baron Humboldt, long a resident of Paris, and master of the civilization of the age;—high in the pride of all Prussians, and the associate of crowned heads, hastened to the king and implored that the hand of the barbarian might be stayed—adding, if not, he would, in shame, renounce his country for ever. The bridge was saved by a few minutes.

During the weeks in question, no person, born in France, was seen in the Louvre, save a few female artists mounted on high steps, busily engaged in copying some of the master paintings before their early departure. These *patriotes* did not condescend to glance at the moving world below—all enemies of France.

Even the passing compliments of Alexander met with no response from one of them in word or look.

The dismounting of the Corinthian horses from the triumphal arch, in the *Place du Carrousel*, to be sent back to Venice, was also witnessed. On this occasion, the autobiographer said to his friend standing by him, the Honorable Thomas Bolling Robertson—a descendant of Pocohontas, a member of Congress from Louisiana, and otherwise distinguished—"Very well; these wonders in bronze, have already made journeys and changed masters several times, and as

'Westward the course of empire takes its way,'

they, may, in time, adorn the capital of our country." That prediction has already been sadly defeated by the existing rebellion in the United States!

Scott corresponded with, though he failed to see, the venerable Kosciuszko;—spent some days at La Grange, on a visit to General La Fayette, dear to all Americans. He made the acquaintance of several of Rochambeau's officers who were at the surrender of Cornwallis—among them the venerable and distinguished Count de Ségur, the elder, author of the memoirs of the greatest interest, in three volumes, the

second of which is devoted to America. The Baron Humboldt, who had visited the United States, and who took a lively interest in the cause of freedom, did the autobiographer the honor to make him several visits of usefulness—to spread his acquaintance among literary and military men—himself a man of the world, and a most instructive companion. Master of many languages, he, in rapid conversation, unconsciously, mixed up several of them in the most amusing manner.

Another highly interesting acquaintance, made in Paris, was Barbé Marbois, who accompanied, as consul-general, the first French minister to the United States. Being a moderate liberal, he was now (1815) minister of justice. His very amiable daughter, the wife of the Duc de Plaisance (Lebrun, third consul in 1799), who presided at his hospitable board, was half American—her deceased mother having been a Philadelphian. M. Marbois gave to Major-General Scott many anecdotes of the Congressional Government of the United States, some of which may appear in this narrative—the greater number having been published by Sevelinge from the portfolio of M. Girard, the minister. M. Marbois had some time before published his

Conspiration d'Arnold, a copy of which he presented to the American.

An event of poignant interest to Americans occurred in September. The British troops were all quartered in and about Paris. Some of the regiments that assisted, under that freebooter,* Admiral Cockburn, and the gentlemanly, but pliant General Ross, in burning the civil edifices at Washington—the Capi-

* This is a harsh term to apply to an officer of high rank; but Cockburn made war a trade of profit as well as of vengeance, in the true barbarian spirit of Lord Bathurst's letter to Prevost, given above. The late J. S. Skinner, Esq., of Baltimore, chanced to be at Ross's headquarters, under a flag of truce, when a sailor reported that he had discovered some hogsheads of tobacco in the barn of a farmer. The indignant general replied: "Begone! I'm no freebooter like Cockburn!!" This admiral had been living ashore at free quarters for some time, in General Greene's last residence, Dungenness, Cumberland Island, Georgia, when the published treaty of peace was received, early in March, 1815. Cockburn prepared to return to his flagship. Mrs. Shaw, the widowed daughter of the great general, said to Cockburn: "Your servants are packing up all my plate—silver urns, pitchers, cups, spoons, forks, etc., etc." "The servants," he replied, "have mistaken their orders. My steward shall correct the error." In a short time she flew to him again, to say: "There goes, in the boxes leaving the door, every piece of my plate—presentations to my father, and all!" "Madam, on board, your property shall be carefully separated from mine and sent back." Nevertheless, the whole was carried off, together with some of her colored servants, who, no doubt, were sold in some of the British West India Islands! This story the autobiographer had from Mrs. Shaw herself, at Dungenness, in 1826.

tol, the President's mansion, and other executive buildings—hit upon the pleasant conceit—being in the occupancy of the capital of Europe, to celebrate, in it, the anniversary of their vandalism in the capital of America. Accordingly, full of their "*laudable* ignominy," the officers of those regiments founded a grand entertainment, to which were invited many principal officers of the same army, including the Duke of Wellington, together with a thick sprinkling of French hungry courtiers, recently back from a long emigration, and all, of course, idolizers of British troops.

It is not now distinctly recollected whether the great duke was present or not. The documents are not at hand. He certainly did not interdict the celebration, nor warn his officers not to make a vaunt of their shame in respect to the burnings.

The founders and their guests, had it all in their own way. Forgetting that Washington had no defenders when Cockburn and Ross approached, except mobs of militia, hastily collected,—but half of whom had had time to obtain arms, or to learn the names of their officers;—forgetting, too, how British troops had been, the year before, repeatedly beaten and dispersed in Canada, and (still later) repulsed and disgraced at

New Orleans—poor Americans! how shockingly were they maltreated by those Washington heroes, and their friends! Such victories, however, aside from "the iron harvest of the field," are, but a cheap indulgence.

Fired with indignation, the Americans at hand resolved on a retaliation. It was the general wish to select the anniversary of some conflict in which Scott had been a principal. To this he objected, begging a postponement to the New Orleans victory—the 8th of January. As the time approached, grand preparations were made. The Hôtel Robert, Rue Grange Battelliére, where the sovereigns habitually hobnobbed before they dispersed homeward, was selected as the place of meeting. A sumptuous dinner for seventy Americans besides their guests, to be served on silver and by waiters in livery, was ordered. The ostentation was intended to give increased publicity to the occasion, and for the same purpose, the Americans everywhere, dropped the *expectation*—many, the *hope*, of being jostled; for that Hotel continued to be the resort of the higher English, and "the bucks and bloods" of the English army.

The morning of the dinner, Count Woronzow—lieutenant-general and aide-de-camp to the Emperor

Alexander; also then commander of the forty thousand Russians, part of the foreign army of occupation (one hundred and fifty thousand) under the Duke of Wellington—chanced to make one of his agreeable calls upon Scott. Through an accidental opening of the bedroom door, he caught a view of the American's uniform, and being young, playful, and tall, he seized upon the coat, put it on, and with the companion-sword in hand, charged about the apartment, and slew British troops in much finer style than the weapon had ever known before. The acting was perfect.

The ventilation of the uniform led to the story of the provocative and retaliatory dinners, and to the remark that a possible conflict might ensue; for Lord Hill's quarters, with a battalion of troops, were nearly opposite to the Hôtel Robert. The Russian impulsively offered to send a battalion of the emperor's guards to protect the meeting. On a little reflection Scott declined the distinguished honor, as it would almost certainly have caused a coolness, if not something more grave, between the count and his commander, the Duke of Wellington.*

* It was at the same visit that his Russian friend gave to Scott this anecdote:—"After exiling Napoleon to Elba, in 1814, the allied sovereigns

The Americans, in a respectable column entered the hotel, and mounted the grand staircase. Scott, Colonels Drayton, McRae, Thayer, Archer, etc., etc., in uniform, with swords by their sides, and some others with pistols in pocket. The crowd was as great as usual in the evening; but not a jostle, interruption, or insult was experienced. Scott presided, assisted by the principal officers named, and Mr. Jackson, late United States' Chargé d'Affaires, but not accredited to Louis XVIII at this time. A band of music gave the national airs of America and France. The cloth being removed, the toasts followed in quick succession:—Our Country; the President of the United States; Memory of Washington; La Fayette (then sick in bed), and nine others. The Fifth was:—MAJOR-GENERAL JACKSON *and his heroic army, who, this day a year ago,*

went over to England to make the regent (subsequently George IV.), a visit. The latter had prepared a naval combat, on the Serpentine River, between a British and an American frigate (diminutives) for his imperial and royal guests—Brother Jonathan, in a "fir frigate, with a bit of bunting for a flag," stood the distant fire pretty well; but when John Bull laid his ship alongside, poor Jonathan struck his bunting and ran below! The regent, etc., were charmed with the victory, when the Emperor Alexander whispered into the ear of his aid, Woronzow: 'This is contemptible—when an American sloop-of-war, on the coast of Ireland, and an American privateer in the channel, are sinking or destroying scores of British vessels.'"

near New Orleans, defeated thrice their numbers of the best British troops, commanded by Sir Edward Pakenham, the brother-in-law of the Duke of Wellington!

This toast, introduced with some sharp remarks, by Scott, on the provocation that had led to the dinner, was drunk with the utmost enthusiasm, and the company dispersed at a reasonable hour, in perfect order and quietness.

A report, in French, of the meeting and toasts, specially stating the provocation, was drawn up and sent by a committee to the *Constitutionnel* (a liberal paper) for insertion. M. Le Censeur of the press, a crabbed old *emigré*, running his spectacled eyes down the page came upon the great disparity of the belligerent forces, at New Orleans, and the statement that the defeated commander was the brother-in-law of the Duke of Wellington, when he gutted the toast of the "perilous stuff" that could not fail to give offence to the English. The toast in compliment to La Fayette was by this official, entirely expunged—frankly saying the French Press was not open to the praise of that patriot hero. In revenge, Scott, at the cost of a few guineas, caused the unexpurgated report to be published in a London paper.

CHAPTER XIV.

ENGLAND—LONDON—BATH.

Soon after the dinner, Scott recrossed the channel. The second Adams was then the honored American minister in London, who showed every attention to his soldier countrymen, and of whom more will be said in the sequel.

Under the self-imposed restrictions, given above, the autobiographer has but few more European occurrences to add to this narrative.

The English Parliament was in session. Among other distinguished persons, Scott dined several times with Lord Holland—high in literature, high as a political leader, and, like his illustrious uncle, Charles

James Fox, a decided friend to the cause of freedom throughout the world."

Persons of like sentiments and liberal pursuits, of whatever country, were easily admitted into his family circle; for Lady Holland, an American, had also high gifts and accomplishments. At one of those dinners, present several of the higher nobles, and the more distinguished commoners — Sir James Mackintosh and Sir Samuel Romilly (both of whom were very kind to Scott on many occasions), an incident occurred, too characteristic of English feeling toward America, at the time, to be omitted.

This particular dinner was given in special compliment to the Earl of Lauderdale, who had a near relative at table, unknown to Scott, the captain that received Napoleon on board the Bellerophon. The naval officer, loud and rude as Boreas at sea; but coming up to London, as a "blood," fell under the fashionable code of Bond Street, and had to lisp and mince words, to stammer between syllables, and even letters in the same word, like the rest of the coxcombs of the day. When the ladies had retired, this fop inquired of Scott, whether "the Americans continued to build line-of-battle ships, and to call them frigates?"

Anywhere else the offensive question would have been very differently answered. The American bit his lips and replied: "We have borrowed a great many excellent things from the mother country, and some that discredit both parties—among the latter is the practice in question. Thus when you took, from France, the Guerrière, she mounted forty-nine guns, and you instantly rated her on your list a thirty-six gun frigate; but when we captured her from you, we found on board the same number, forty-nine guns!" "General Scott," said the Earl of Lauderdale, "I am delighted with your reply to my kinsman. Please take a glass of wine with me."

A short visit to Bath was not without interest. Among his letters of introduction, Scott had one to John Parish, Esq., of that city, whose son David, a resident of Philadelphia, had been the agent of certain Dutch and Hanseatic bankers, in loans to the United States, to an amount of half the expenditure of the recent war with Great Britain. The father, an *octogenarian*, had, in fifty years, as a merchant at Hamburg, made an ample fortune, and now lived in a superior style among the throng of dowager ladies, half-pay generals, and admirals who constituted the resident

population of that remarkable city. He had contrived to send to America, during the Revolutionary War, many cargoes of arms, ammunition, and clothing, and subsequently became consul of the United States. His obsolete commission as such, in frame, signed by President Washington, hung conspicuously in one of his apartments. General Bonaparte, about to sign the preliminary treaty of Campo Formio, chanced to remember La Fayette, then three years in an Austrian dungeon (Olmutz), and withheld the pen until a formal order was given, by the Emperor Francis, for the liberation of the Franco-American patriot. He was personally delivered to Mr. Parish, American Consul.

Another introductory letter from a belle of Philadelphia, to her great aunt, Lady J., wife of Sir Henry Johnson, Baronet, residing at Bath, and a senior general of the British army, led to an interview which, at this distant day, cannot be recalled without emotion. This lady, in 1779, and some years before, was, as Miss Franks, the belle of Philadelphia—handsome, witty, and an heiress. She was also high in toryism and eccentricity. Many amusing sarcasms of hers, levelled at revolutionary men of eminence, were in circulation in Philadelphia down to the autobiographer's early

days. One of them, of a practical nature, was too offensive to be amusing. Mrs. General Washington gave a ball to the French minister, M. Girard, in honor of the recent alliance between Louis XVI. and the United States, which had led the Americans to unite the cockades of the two countries—white and black. Miss Franks caused this token of alliance to be tied to the neck of a dog, and by a bribe to a servant, got the animal, thus decorated, turned into the ball room.

The equally eccentric, Major-General Charles Lee, wore, in the saddle, long pantaloons lined from the crotch to the ankle with buckskin to prevent abrasion —after that example, much worn in America by military men down to within forty-five years. Miss Franks charged that they were "green breeches, *patched* with leather." In his celebrated reply* to her, filled with coarse wit and humor, he denies the patching, and adds that his pantaloons are "legitimate *sherry vallies*, such as his majesty of Poland wears"—on whose personal staff he had recently served.

This brilliant young lady married, about this time, Major Johnson, a British officer, made prisoner at the

* See his Life and Memoirs, New York, 1813, and Memoirs of the Life, etc., London, 1792. Both anonymous.

capture of Stony Point (of which he was the commander) and sent to Philadelphia. In 1816 she had become, from bad health, prematurely old—a very near approach to a ghost, but with eyes still bright, and other remains of her former self.

On the receipt of the letter of introduction, Lady J. despatched her amiable husband—a fine old soldier, to fetch the stranger. Scott, as has been seen, was fortunately a little acquainted with her eccentric manner. She had been rolled out in an easy chair to receive him. On presentation, he was transfixed by her eager, but kindly gaze. "Is this the young rebel!" were her first words. "My dear, it is your countryman!" etc., said Sir Henry, fearing that Scott might take offence. "Yes, it is," she quickly added, "the young rebel; and you have taken the liberty to beat his majesty's troops." Scott, by a pleasant word or two, parried the impeachment as well as he could; but the lady followed up the accusation, with specific references, which surprised not a little. Scott soon found himself seated by her side, with a hand clasped in both of hers—cold and clammy, as in the article of death. Taking a sudden turn, she exclaimed, with emphasis: "I have gloried in my rebel countrymen!" Then pointing to heaven,

with both hands, she added, in a most affecting tone: "Would to God I, too, had been a patriot." A gentle remonstrance was interposed by the husband, who had been carried away by sympathy up to this moment. Turning now upon him, she said, with the earnestness of truth: "I do not, I have never regretted my marriage. No woman was ever blessed with a kinder, a better husband; but I ought to have been a patriot before marriage." Hers were the only dry eyes of the party.

CHAPTER XV.

REFLECTIONS ON PEACE AND WAR — THE CANKER ABOLITIONISM — STATE RIGHTS — NULLIFICATION — REBELLION.

As has been said, the autobiographer returned home in 1816, when he resumed his duties in the army. Thence to the Mexican War, in 1846, there is a gap of thirty years to be bridged over in this narrative. In this long interval he was not idle, and a few of its scenes and events with which he was connected will be sketched in this narrative.

Always preferring peace to *unnecessary*, and of course to *unjust* wars, he never made his own the distracted cry of poor Constance, in King John:

"War! war! no peace! peace is to me a war!"

Yet, perhaps, the thesis might plausibly be maintained that war is the normal or natural state of man.

*Homo homini lupus.**

> Amid the woods the tiger knows his kind,
> The panther preys not on the panther brood,
> Man only is the common foe to man.†

Milton sings:

> ——Peace hath her victories
> No less renown'd than war.

This fine couplet, addressed to the great warrior and statesman—the Lord General, Cromwell—often quoted by civilians as a taunt to soldiers, will not, in that sense, bear a philosophic analysis; for what has been accomplished in peace, that might not have been as well done in a state of war? Sunday schools, Bible societies, missions to the heathen, vaccination, the steam engine, the electric telegraph, etc., are the great human triumphs of recent times. Several of these blessings had, as is known, their beginning and maturity in time of war; and what a flood of Christian light followed, and is likely to follow, the recent march of European armies into the interior of China? And Shakspeare,

* Erasmus. † Motto to Caleb Williams.

the deepest of human observers, recognizes "the cankers of a calm world and long peace." Perhaps, an occasional interlude of *foreign* war may be even necessary to the moral health of a people rapidly increasing in population, wealth, and luxurious indulgences.

In this interval of peace, certain speculative, moody minds at the "North, Northeast, and by East," * like Loyola, brooding over their want of occupation or usefulness—and being as tired of prosperity as Athenian demagogues were with the name of Aristides *the just;* —these dreamers, struck out the idea of abolishing, at "one fell swoop," negro slavery in the other half of the Union. By a singular aptitude this idea coalesced at once with religious fanaticism, when a "charm of powerful trouble" became "firm and good." The ambitious leaders of a political party eagerly made court to this great and growing element of strength; succeeded in the wooing, and were placed at its head.

Now it is the nature of a new hallucination to shut out from the mind facts and principles — everything that conflicts with the one ruling idea. Hence the work of agitation now went bravely on. The fact was entirely ignored that slavery, in several States, was

* Shakspeare.

happily undergoing a gradual but sure amelioration, and could not fail to be more and more spontaneously accelerated, without the danger of reaction, if it were left to God's own time to educe good from evil, in his own way. So were forgotten that His great work — even the creation of the world—was one of time and deliberation, instead of a simple fiat, which, if He had pleased, would have been all sufficient;—that more years were allowed to intervene between the promise made to Abraham and the advent of our Saviour, than Africans had been in America — the chosen people of God being, meanwhile, slaves in Egypt and Babylon;—that the monarch oak and lofty pine—fit "to be the mast of some great ammiral"—require centuries to mature them;—forgetting, too, that, as has just been shown, hundreds of years, more or less, are in divine estimation, but as a moment in the life of a people or race of men;—forgetting all those high considerations, the reckless reformers rushed in "where angels" might "fear to tread," at the imminent peril of setting owners and slaves to the mutual slaughter of men, women, and children of the opposite color. That this would have happened, since the rebellion, no white woman, in putting her children to bed would

have doubted, but for the wide spread of troops, Union and Confederate, over the South; and, indeed, a like danger and a like nervous apprehension existed—not without cause, in Southern families—created by external, pragmatic missions and missiles—beginning some twenty-odd years before.

The first great error of the South, *after* the agitation began, was, in causing abolition petitions to be laid upon the table in Congress, instead of referring them to committees for due consideration and respectful reports on the same. The alleged ground of this treatment was, that the petitioners asked for what Congress had no power, under the Constitution, to grant. Agreed; but why not have allowed a committee (or committees) to find that fact and solemnly report that finding? Such report—say from Mr. Adams, who was prepared so to report—would have taken from abolitionists more than half of the fuel needed to keep up their excitement to fever heat; for the abstract right of petition had, by the events immediately preceding the revolution, become *hallowed*, more particularly in the public mind of the New England States. Thus action and reaction, error and outrage went on, each producing its like—Caliban, his Caliban—as certainly

as if the propagation had been commanded in the book of Genesis. And, unhappily, the parties seem still (January, 1864), as desperately bent as ever, on playing out the game—*All for* HATE, *or the World well Lost.** Hence "all our woe."

Now it cannot be doubted that if it had pleased God, but a few years before, to have taken away only some ten or fifteen of those zealots from one half of the Union, and as many of the hot-brained Southerners—mainly intent on president-making and the increase of slave property—the South would not already be a scene of general desolation—one "house of mourning;" —nor the North filled with widows, orphans, cripples, and another evil of large dimensions—swarms of rich contractors—many of them fraudulent—whose low manners, high pretensions, pomp and extravagance, excite the contempt of the philosophic, the pity of the good and envy of legions of weak-minded men and women.

But this inductive history of present calamities would be incomplete—nay, unjust, without a further glance at men and measures hostile to the Union—of

* "All for Love, or the World well Lost"—the title of Dryden's Antony and Cleopatra.

an earlier period. The stream of bitter waters, here alluded to, had its source in the connection of President Washington and his first Secretary of State, Mr. Jefferson.

Dr. Johnson has supposed Socrates and Charles XII. of Sweden, to address an assembly of some pride of character. The great founder of moral science, with persuasive eloquence, commends the beauty of virtue. The heroic Swede, in his turn, draws his sword and flashing it in the eyes of the multitude, calls out—*Follow me and let's dethrone the Czar!* Johnson doubts whether many listeners would remain with Socrates.

The same moralist puts another case to illustrate the same feeling, which he holds to be quite common in the breasts of men. Lord Mansfield is brought into a circle with a Blake or a Marlborough, and is made to feel, in such presence, that his learned decrees on the bench, and terse eloquence in the Senate, are of but little worth.

There is, no doubt, much exaggeration, but a basis of nature, in those illustrations. Hence, as revolutionary worthies assured the autobiographer fifty and sixty years ago, Mr. Jefferson, the author of the Declaration of Independence—highly ambitious; a

man of genius, of literary culture, and with a fine turn for philosophic inquiries—always felt himself uneasy—nay, rebuked—in the presence of Washington—not so much at his calm dignity, wise statesmenship, and moral weight of character; as at the recollection of his being the great general and hero in the war that achieved independence. To recover himself from the painful sense of inferiority, Mr. Jefferson was forced to set up an opposition, and leave the cabinet, when his party pretended to find that man is too much governed; that property, and liberty, with law and order, had nothing to fear from popular judges and universal suffrage; that Washington had imparted too much centripetal force to the Union—to meet which they opposed the centrifugal tendency, or the doctrine of *State Rights*—the first fruits of which have been seen in nullification—almost identical with rebellion; both in part, the posthumous works of Mr. Jefferson.

Mr. Calhoun, of pure morals and high intellect—only a little too much imbued with metaphysics—followed in the same career, not from the beginning of his political life, but was forced into it by circumstances. No one was more eminently conservative*

* Mr. Calhoun's mind had a strong tendency to extremes. He was, at

in politics till after his election to the vice-presidency, when President Jackson (toward whom he always stood in awe) learned that he had, as Secretary of War, in Mr. Monroe's cabinet, suggested the hero's recall—perhaps, punishment, by a court martial, for the conquest of Middle Florida during a state of profound peace with Spain. This late discovery of a meritorious act, brought down upon the second functionary of the Government the utmost wrath of the first.

There was no recovery from this blight, but, as it seemed to Mr. Calhoun, in an abrupt change of party. Accordingly, to recover himself, he took refuge in *State Rights;* stereotyped the doctrine on the Southern mind, and hence nullification, and next rebellion.

As to the abstract right of man to hold any human being in slavery, except in the way of punishment for established crime, the sentiment of the civilized world

first, in favor of making, by the authority and at the expense of the United States, Appian highways from the centre to the frontiers in every direction; of a high tariff and a bank of the United States. To illustrate his genius and early doctrine, this anecdote may be added:—At a dinner of six or eight, all officers of the army, but himself, he spoke of the party contests at the beginning of this century, and continued: "When the Republicans, headed by Mr. Jefferson, stormed and carried the citadel of Government, in 1801, they were not such fools as to spike the guns."

is fast waxing to unanimity on the negative side of the proposition. The recent abolition of serfdom in Russia was a mighty stride in that direction, and it may at this time be safely assumed that all the chairs of moral philosophy throughout Christendom, except, perhaps, a very small number in slaveholding countries, deny all claim of right on the part of masters. But as to the *manner* of mitigating, to extinction, the evil of negro slavery,—whether by degrees, more or less slow or fast, or at once, in districts where it actually exists, in masses —these are very different questions, involving difficulties within difficulties.

There is no intention of doing more, in this place, than to glance, very slightly, at some of those points, not developed in the foregoing pages, nor fully in the autobiographer's recorded views (his Atkinson letter) on the same subject, published in newspapers in 1843, reproduced in Mansfield's able work, and which paper may be repeated in these memoirs. From those sources it will plainly appear that the autobiographer's wishes have been to hasten emancipation only as fast as might be found compatible with *the safety of both races.*

The color of the American slave is the first difficulty. When a Roman placed the cap of liberty on the

head of his white slave, the latter, himself, or at least his children, readily passed into the general population without any brand of former servitude upon him. Not so with the negro freedman. His color will always be certain evidence that he, or his progenitors, had once worn the yoke of the white man.

Immediate and wholesale abolition of negro slavery cannot be dismissed without a few additional remarks.

In this war, how many hundreds of thousands have already been liberated—men, women, and children—and are now fed and clothed by the United States, besides the colored troops who are also receiving pay as such; and how many millions of the same people, the Government may, in all, take under its wing by the close of the war—it would, it is thought, be difficult to say within a million. The numbers will be numberless. How long will these be paid, lodged, clothed, and fed in like manner with those first named? And, in the end—where colonized, and how distant the colony? Transportation is a heavy item of cost. Is the territory obtained or designated? The climate and soil — are they good or bad? How make those work, who have, for a time, lived without labor, and who have never worked except when compelled by a master? And

last and mightiest—how discharge the grand aggregate cost of such operations—including that of the conquering armies? With all the gold mines known to commerce in its possession, Government could not, in half a century, reduce that mountain of debt, that has been piled up in less than three years.

Once more—a parting glance, in the way of contrast, at the system of gradual emancipation, with the actual system—immediate abolitionism.

In about sixty years, counting from (say) 1833, but for the pragmatists alluded to—Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky, and Missouri, would have been, in all human probability, free States, and those farther South, by the force of example, must, in the mean time, have entered on the same career of wisdom and humanity. Virginia in 1831–'2, it ought to be remembered, came within a vote of carrying the system at the first trial, and wanted but a little more time to have brought over to its support an overwhelming majority; but just then, as has been noticed above, petitions to Congress, and missions, and missiles of violence to the negroes, agitated and revolted the whole South.

By the gradual system, of which—honor to him

to whom honor is due—Mr. Jefferson was the author and uniform supporter—each slave on attaining the proper age—males (say) twenty-one—would have become a free man on the spot, where his hired labor would have been needed. Thus he would remain with the younger members of his family till their liberation in turn, or have engaged himself to work on the next plantation. In this way each freedman would have had, to some extent, the choice of employers, and each employer, to a like extent, the choice of laborers—each with a strong motive to respect the interests and feelings of the other. Thus, moreover, the labor of the country would not have been diminished, *nor its productions.*

The wise Oxenstiern said to his son: *Nescis mi fili quantulâ scientiâ gubernatur mundus.* And the good old Gloster, blind, says, in King Lear:

"'Tis the times' plague when madmen lead the blind."

In virtue, wisdom, talent, one of the most eminent men of his times—Rufus King—already prominent at the end of the Revolution, when quite young—twice our Minister Extraordinary to London, and twenty-odd years a leader in the Senate of the United States—this

American Oxenstiern, always opposed to the principle of slavery, and to its extension into new States and Territories—had in him nothing of the madness of *political* abolitionism. Honored by his kind attentions from early in the war of 1812–'15, to the end of his career, I, the autobiographer, am happy to cite his sentiments on the great subject under consideration, to which my own closely approximated.

Mr. King, feeling a modest assurance that his name, position, and services could not fail to carry with them due weight, with Congress, at some future day, laid upon the table of the Senate, February 16, 1825—fifteen days before he finally left that body—a benign resolution to the effect that as soon as the remnant of the national debt should be discharged, the net proceeds of the whole of the public lands, "then and thenceforth, shall constitute and form a fund which is hereby appropriated, and the faith of the United States is pledged that the said fund shall be inviolably applied to aid the emancipation of such slaves, within any of the United States, and to aid the removal of such slaves, and the removal of such free persons of color in any of the said States as by the laws of the States respectively, may be allowed to be emancipated or re-

moved to any Territory or country without the limits of the United States of America." The resolution stands a national record.

Here is statesmanship—far-sightedness, seeking to disarm the muttering clouds which threatened to burst upon and overwhelm the land. Here is magnanimity, considering the hostility of the South on account of Mr. King's powerful resistance to the admission of Missouri into the Union with slavery. Here is a Christian's revenge—returning good for evil! All honor to a great deed and a great name!

Hearing of the noble act, I, a Southern man, waited upon Mr. King the same evening to return him my hearty thanks, and added that the time could not fail to come when the whole South would be equally grateful. The rebellion ended, the first tranquil moment will be that time.

I place in juxtaposition with the foregoing, a kindred sentiment that gleamed in the same body on a more recent occasion.

It had been proposed, without due reflection, by one of our gallant commanders engaged in the suppression of the existing rebellion, to place, on the banners of his victorious troops, the names of their battles. The

proposition was rebuked by the subjoined resolution, submitted by the Hon. Mr. Sumner to the Senate, May 8, 1862:

"*Resolved*, That, in the efforts now making for the restoration of the Union, and the establishment of peace throughout the country, it is inexpedient that the names of the victories obtained over our own fellow citizens should be placed on the regimental colors of the United States."

This was noble and from the right quarter.

CHAPTER XVI.

MARRIAGE—RECEPTION OF SWORDS AND MEDAL.

Soon after his return from Europe, the autobiographer married Miss Maria Mayo, the daughter of an eminent citizen, John Mayo, Esq., of Richmond, Virginia—a young lady more admired in her circle than her soldier husband, who, however, was highly feasted and honored everywhere—in Richmond by the whole State—that is, by the governor, legislators, judges, and many other of her first citizens united. She died, June 10, 1862. Of this marriage three daughters remain, of seven children—two sons and two daughters having died quite young.

The medal voted by Congress was presented in a

handsome address, by President Monroe, a few days before his descent from power. The following short extracts from the recipient's reply may show his manner of feeling and expressing himself at that period:

"With a deep sense of the additional obligation now contracted, I accept, at the hands of the venerable chief magistrate of the Union, this classic token of the high est reward that a freeman can receive—THE RECORDED APPROBATION OF HIS COUNTRY.

"And you, sir, whom I have the honor officially to address for the last time; you who bled in the first, and powerfully contributed to the second War of Independence; you who have toiled fifty years to rear and to establish the liberties of this great republic—permit an humble actor in a much shorter period of its history, to mingle his prayers with those of millions, for the happy but distant termination of a life, of which, as yet, others have enjoyed the distinguished benefits, whilst the cares have been all your own."

This medal chanced to be temporarily in the City Bank of New York, for safe-keeping, when two thieves, in a night's work, took from that institution $260,000. The medal was lying in a trunk of gold. All the coin was stolen, but the medal, though taken out of its case

(marked with the owner's name) to gratify curiosity, was left. A few years later, when the robbers had served out their sentences in the State prison, or been pardoned by the Executive, Scott was, in a steamer, on the Hudson, robbed of his purse by pickpockets who did not know him. The principal of the bank robbery hearing of the loss ($140) bestirred himself among the fraternity; threatened to cause the whole body to be sent to the State prison if the money was not returned, and added, "When in the City Bank I saw the medal, but was not such a villain as to rob a gallant soldier." In a day or two the money was returned by Hays, the high constable, with that report, received from a third party. To show that he did not himself pocket the money, Hays was required to produce Scott's written receipt for its return—which was given.

A handsome sword was, about the same time, though voted years before, presented to Scott in a complimentary address by the Governor (Pleasants, bred a Quaker) of Virginia.

A part of the reply, to illustrate the character of the autobiographer, is here inserted:

"The law which gave my name to a county; the thanks voted by the General Assembly; and this sword

which I now have the honor to receive at your hands, in the presence of the executive council, are the precious evidences of that partiality. Sir—they are appreciated by me in the spirit in which they are bestowed, as inculcating the first lesson of a citizen-soldier, that, as liberty is the greatest of blessings, so should he ever hold himself armed in her defence, and ready to sacrifice his life in her cause!"

A similar presentation was earlier made to Scott by the amiable and devoted patriot, Tompkins, Governor of New York. His address, very partially quoted above, written *con amore*, is too splendid as a composition, to say nothing of its flattery, to be much abridged in these memoirs:

"In adverting, sir, to your claims to distinction, it would be sufficient to say, that on all occasions you have displayed the highest military accomplishments, the most ardent attachment to the rights and honor of your country, and the most intrepid exertions in their support. A rapid and unprecedented succession of promotions at an early age, has been the well-earned fruit of your talents. The distinguished notice by your Government is the best encomium on your character,

and the highest reward to which the virtuous and the great aspire.

"But, sir, your military career is replete with splendid events. Without descending into too much minuteness, I may briefly refer to your exploits in the most interesting portion of the American continent. The shores of Niagara, from Erie to Ontario, are inscribed with your name, and with the names of your brave companions. The defeat of the enemy at Fort George will not be forgotten. The memorable conflict on the plains of Chippewa, and the appalling night-battle on the Heights of Niagara, are events which have added new celebrity to the spots where they happened, heightening the majesty of the stupendous cataract, by combining with its natural, all the force of the moral sublime. The admirers of the great in nature, from all quarters of the globe, will forever visit the theatre of your achievements. They will bear to their distant homes the idea of this mighty display of nature, and will associate with it the deeds of you and your brothers in arms. And so long as the beautiful and sublime shall be objects of admiration among men; so long as the whelming waters of Erie shall be tumbled into the awful depths of Niagara, so long shall

the splendid actions in which you have had so conspicuous a share, endure in the memory of man."

This paragraph closed the reply of Scott to the Governor of New York:

"On an occasion like this, declarations would but feebly express the volume of obligation contracted. Permit me to assure your Excellency, and through you, the Legislature and people of the proud State of New York, that I am sensibly alive to the duties of a republican soldier, armed by the hands of his countrymen to support and defend their national honor and independence; and if my personal services had been more worthy of the distinction bestowed, I should have no wish left me, at this moment, but that the glory and liberties of the republic might be eternal."

In 1817 quite an angry correspondence took place between Major-General Jackson and Scott, then entire strangers to each other. In Parton's life of the former, and Mansfield's of the latter—two works of considerable ability—the particulars of this quarrel are given. A passing notice of it in this compressed autobiography must suffice.

The Secretary of War, acting in the name or by the authority of the President, had sent an order, direct,

to a topographical officer, in the Southern division (half of the United States) under the command of Jackson, telling him to go on some duty elsewhere. This slight irregularity was caused by the wish to save time, for the officer's post office was at a considerable distance from Jackson's headquarters. If notice (always proper in such cases) had been given of the order in question, to Jackson, the irregularity would have been cured; but this was not done by the acting secretary, Mr. Graham. The want of courtesy, on the part of the Executive, was met by a grave offence—a severe rebuke of the Executive, in an order addressed to his division by the hero of New Orleans, in which all his officers were peremptorily instructed not to obey any mandate whatsoever, from whomsoever, that did not pass through his (Jackson's) hands. This was, no doubt, the production of one of his numerous young staff officers — madcaps — to whom was usually abandoned, as was well known to the whole service, all labors of the pen. The penman, no doubt, proud of his commission, very dogmatically, laid down on the subject a code of military doctrines, most of them juvenile crudities, but well suited to the violence of the chief. The order was ostentatiously thrown into

many newspapers at once, soon to be taken up by all, and become a subject of universal conversation. Just then, June, 1817, Scott chanced to meet Governor Clinton, present two or three other gentlemen. Being interrogated, professionally, by his Excellency, on what he termed the "extraordinary order," the soldier entered fully and methodically into the subject, and necessarily pointed out several grave blunders, with many regrets, and added the hope and belief that, in consideration of great services, an *admonition*—and not what the governor thought—a *court*, would terminate the matter. That high functionary, had about him, necessarily, many politicians of inferior grades—one of them, a sort of *familiar*, the editor of a paper devoted to his Excellency as a candidate (a second time) for the presidency. To this editor Scott's comments on the order were casually mentioned, and this was repeated, by the latter, in the same way, to a scribbler in the same paper—a former aide-de-camp to a rival general. This ingenious miscreant, from vicarious hostility, a love of mischief, or some hope of personal benefit, addressed General Jackson, anonymously, giving Scott's comments, but suppressing the praises of Jackson, and enclosing a newspaper slip, of his own writing (which

he attributed to Scott), attacking Jackson! The entanglement thus produced was slowly unravelled in the next ten or twelve years. Jackson enclosed to Scott a *copy* of the anonymous letter (refusing the original) and the contemptible printed article, demanding, etc. In reply, Scott (also suppressing his praises) acknowledged and repeated his comments on the order, but spurned the printed squib. Then came the rejoinder full of bad temper, bad writing, and bad logic, but containing no challenge—only intimating that Scott might, if he pleased, call him to the field! Now this was as arrogant as absurd; for the law of the *duello* requires that the party, first conceiving himself to be insulted, should make such call—otherwise there would be a mere competition in vulgar abuse, as in the quarrels of fishwomen. Scott, however, for the sake of a conceit that forced itself upon him, chose for the moment to consider the rejoinder as a challenge, in order to add that he declined the combat as his "ambition was not that of Erostratus"—intimating that being without distinction, he waived his only chance of acquiring any by killing a defender of his country. Jackson, probably, not understanding the compliment, hugged the pleasanter conceit to his bosom, that he

had won another personal victory by bullying! It seemed cruel to disturb so much happiness, and Scott left his enemy in all his glory.

In the next six years the report often reached Scott and down to a late day, that Jackson had declared he would cut off Scott's ears (his usual threat against offenders) the first time they should chance to meet. They first saw each other in Washington, December, 1823. Jackson had just taken his seat in the Senate, and Scott was *en route* for the Western Department, headquarters, Louisville, Kentucky, and thence to the Gulf of Mexico, etc., etc. During his short stay in Washington, Scott—having the privilege of the floor—was every day in the Senate chamber (when open)—unarmed;—for he never has worn a concealed weapon—always declaring it would be the smaller evil that he, or any other person should be slain, than to set so bad an example. He frequented the Senate not to attack, or to insult, but simply to put himself under the eye of Jackson—contriving to pass out the chamber, on adjournment, just ahead of him.

Wearied with this state of things, and impatient to proceed to his duties in the Southwest, this letter was written:

General Scott to General Jackson.

WASHINGTON, D. C., *December* 11, 1823.

SIR:

One portion of the American community has long attributed to you the most distinguished magnanimity, and the other portion the greatest desperation, in your resentments. Am I to conclude that both are in error? I allude to circumstances which have transpired between us, and which need not here be recapitulated, and to the fact that I have now been six days in your immediate vicinity without having attracted your notice. As this is the first time in my life that I have been within a hundred miles of you, and as it is barely possible that you may be ignorant of my presence, I beg leave to state that I shall not leave the District before the morning of the 14th inst.

I have the honor to be, sir,

Your most obedient servant,

WINFIELD SCOTT

The HON. GENERAL A. JACKSON, Senator, etc.

The following answer was promptly returned:

General Jackson to General Scott.

MR. O'NEIL'S, *December* 11, 1823.

SIR:

Your letter of to-day has been received. Whether the world are correct or in error, as regards my "magnanimity," is for the world to decide. I am satisfied of one fact, that when you shall know me better, you will not be disposed to harbor the opinion, that any thing like "desperation in resentment" attaches to me.

Your letter is ambiguous; but, concluding from occurrences heretofore, that it was written with friendly views, I take the liberty of saying to you, that whenever you shall feel disposed to meet me on friendly terms, that disposition will not be met by any other than a correspondent feeling on my part.

have the honor to be, sir,

Your most obedient servant,

ANDREW JACKSON.

GENERAL W. SCOTT.

Scott, though prepared for the worst, was pleased with Jackson's reply, and, as the younger man, lost no time in waiting upon the honorable Senator. He was

graciously received, and the next day took the road to the West. It is painful to reflect that so amicable a settlement only meant, with one of the parties, a postponement of revenge to a more "convenient season."

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CHAPTER XVII.

TEMPERANCE MOVEMENT—MILITARY INSTITUTES—TACTICS —DEATH OF GENERAL BROWN—MACOMB PROMOTED —ANIMATED CORRESPONDENCE.

In the *National Gazette* of Philadelphia (September 22, 1821), I published a *Scheme for Restricting the Use of Ardent Spirits in the United States*, in which I gave a glance at the history of intemperance from the earliest times, and its frightful statistics among ourselves. Mr. Walsh, the able and accomplished editor, published the essay in a supplement of thirteen columns, and heralded it with high praises in the *Gazette* itself. The following is the opening paragraph giving the origin of the essay:

"It is now many years since the writer of this essay was first made to reflect, with some intensity, on the vice of drunkenness, whilst endeavoring to apply a remedy, in a small corps, to that greatest source of disease and insubordination in the rank and file of an army. Having the attention so awakened, and subsequently being much accustomed to change of place from one extreme of the Union to another, he has been led to observe, with a more than usual keenness, the ravages of the same habit among the more numerous classes of the community. The conviction has thus been forced upon him that, of all *accidental* evils, *this* is the most disastrous to our general population."

The principal merit of the essay is that it led to the formation of temperance societies, since so general, throughout the United States.

A little before that time, I had become a member of societies for *the prevention of pauperism, and the suppression of vice and immorality*, to which the essay was a contribution.

True to my motto—*when solitary, be not idle;* and to the maxim, *in peace, prepare for war;* I conceived the idea, in 1818, of preparing a system of General Regulations or *Military Institutes* for the army. After

a wide study, begun long before, I made a rigorous analysis of the whole subject, and submitted it to the War Department, which being approved, and provided for by Congress, I duly executed.

This was the first time that the subjects, embraced, were ever reduced, in any army, to a regular analysis, and systematized into institutes. The *Législation Militaire* of France, was indeed, most copious, containing all that can be desired for an army, in the field—excepting tactics, strategy, and engineering—each of which and some other branches of war, properly requiring separate treatises. And the English book of *General Regulations*, was also composed of independent articles, without connection or system. But in the *Institutes*, besides definitions of administration, instruction, service, police, *subjects treated of*—there is a due logical connection and dependence between the parts, not found in the other books mentioned.

How the author's great labors on this and his tactical works have been obscured, mutilated, and pirated, by permission of superior authority, from 1836, down to 1861 inclusive, to the injury of the service, through, I must confess, my neglect of my own interests, may be touched upon in the sequel of this narrative.

It has been seen that I was president of a board of infantry tactics when the treaty of peace with Great Britain arrived in February, 1815. Their labors were hastily and imperfectly concluded by that great event. Another board, on the same subject, of which I was again president, met at West Point in 1824. Each of these boards took, as its basis, the French tactics—the same that I had orally and practically taught in the camp of instruction at Buffalo, beginning in March, 1814.

Besides the Board of Tactics for the army, in 1824, I was president of another, in 1826, at Washington, consisting of two general officers of the militia—Major-General T. Cadwallader, of Philadelphia, a very well read soldier, and who, in the war of 1812-'15, for some time, was commander-in-chief of that department —a citizen of the greatest moral weight of character —and Brigadier-General Sumner, long the intelligent adjutant-general of Massachusetts—together with five army officers. This board was instructed to report: 1. A plan for the organization and instruction of the whole body of the militia of the United States; 2. A system of artillery tactics; 3. A system of cavalry tactics; and 4. A system of infantry and rifle tactics—all

four for the benefit of the militia of the Union. The first and fourth of those reports were from Scott's pen, and of the fourth, sixty thousand copies were printed by order of Congress at once, for general distribution.

In the third year (February, 1828) of the second Adams's Administration—a statesman of great learning and abilities; of high patriotism and conscientiousness—an unostentatious Christian—honest, and as obstinately brave as any Puritan in Cromwell's time—Major-General Brown, general-in-chief of the army, died, and Jackson had resigned to be Governor of Florida—which left me senior as brevet-major-general, from July 25th, whereas Gaines' brevet of major-general only gave rank from August 15th, and Macomb's only from September 11th—all in 1814. But Macomb's *ordinary* commission was only that of colonel of engineers, to which he had been cut down at the last reduction of the army in 1821. Both Scott and Gaines, therefore, were not only Macomb's seniors, by brevet, but also as brigadiers by ordinary commission over his ordinary commission as colonel. It is true, however, that the President has never been legally bound in making promotions, beyond the rank of colonel, to restrict himself, absolutely, to seniority. Hence the

question—Who shall be selected to fill Brown's vacancy? became quite general.

An incident now occurred which, among prudes, and men like prudes, may be considered beneath the dignity of history, or memoirs, to record.

Two ladies, sisters, of great excellence—Mrs. Mason, of Anacosta Island, Georgetown, and Mrs. Rush, wife of the Secretary of the Treasury, waited upon the wife of the President to solicit the appointment for Macomb, who, if promoted, as they said, had promised to make the son-in-law of Mrs. Mason (Lieutenant Cooper, then at Fortress Monroe, now adjutant-general of the Confederate army) an aide-de-camp. Mrs. Adams, mistress of all the proprieties of the sex, and her "pride of place," archly replied: "Truly ladies, though *Mesdames* Maintenon and Pompadour are said to have appointed all the *generalissimos* of their times, I do not think that such matters appertain to women; but if they did, and I had any influence, it should be given to Mrs. General Scott, with whom I accidentally, in travelling, last summer, became acquainted." (The authority for this statement is the late Dr. Hunt, who, as family physician, happened to be present, and who often repeated it to many persons, several of whom are

still living.) All this time I happened to be inspecting the Indian frontiers of Louisiana and Arkansas. The ladies, though defeated in their first effort, did not stop there. At their instance, a master now took the matter in hand; for Mr. Secretary Rush, a most amiable and persuasive gentleman, had not resided at a European court (London) without improvement in the arts of insinuation. The President held an evening consultation with many of his cabinet on the question—Who shall be the new general-in-chief? present, Mr. Clay, Mr. Southard, Mr. Wirt, and Mr. Rush. I was named and approved without discussion or dissent. The four members of the cabinet happened to be severally engaged for the evening to the distinguished wife of a distinguished Senator (Johnston) of Louisiana. All took leave of the President together; but Mr. Rush soon turned back as if he missed his gloves or handkerchief. The game was now readily won; for knowing Mr. Adams's horror of bloodshed in private combat, he pressed the strong probability, according to him, of a deadly affair of pistols between Scott and Gaines (of which there was not the slightest danger) if either of them should be appointed to the vacancy; whereas, as he argued, with Macomb at the head of the

army, all would be acquiescent and harmonious! It only remains to be added, that Mr. Adams confessed to Mr. Clay and other cabinet advisers, *after the nomination*, that, to save bloodshed he had changed his mind;—that Cooper was in good faith appointed aide-de-camp, and that his most excellent wife (who has been kind to at least one Union prisoner at Richmond) was brought up to Washington and to her affectionate mother.

How nugatory are human institutions! The Salic law may be established in monarchies, and women excluded from the polls, as well as from office, in republics. It is all in vain; for there is "a higher law," "which altereth not"—the result of civilization—that bends imperial man to the stronger will of the weaker vessel!

A long and very animated correspondence ensued between the War Department and myself consequent on its order placing me under the command of Macomb, a junior major-general—that is, a superior under an inferior officer. As all the letters are in print they need not be reproduced in this narrative. The heads of my argument against the anomaly, may, however, be succinctly stated thus: That Macomb, though *a* major-

general, was not *the* major-general of the whole army —there being several others of the same grade (by brevet) and no such grade, in law, as *the* major-general or general-in-chief—the latter being a designation of convenience only, and meaning, simply, the senior of several others of the same grade, like commodore, at that day, meaning the senior commander of several vessels besides his own, whether commanded by midshipmen or post captains. 2. That rank is rank, whether the same be conferred by ordinary or brevet commission—both being equally the creatures of the law—unless the *law* has made a difference to the prejudice of one or the other rank, as in the 61st article of war, which is against brevet rank—*only* within regiments or some other similar corps, as the corps of engineers. I did not claim the right to command Macomb, unless, coming together on common duty, when one would be obliged to command the other, which it was always competent for the Executive, by arrangement, to avoid, as I might be rightly assigned to some separate command or duty, in direct correspondence with the Executive, or laid, by the latter on the shelf, as has become so common recently. I simply contended that no senior, in rank, of the same grade, whether by brevet

or otherwise, had ever been, or could be, legally placed under a junior in the British or American army, except by the consent of the senior, and, that, the rules and articles of war were the same in the two armies.

Mr. Adams, as was well known, read, during his presidency, with conscientiousness, every paper, connected with every important subject, that required Executive decision, and, in this controversy, in which, by inveiglement, he had become, virtually, a principal —he did more, he wrote, himself, most of the replies to my formidable appeals and demonstrations. With the obstinacy of a Roundhead, equal to his invincible honesty, he brought to bear against me all the great resources of his rhetoric and ratiocination; and, perhaps, it may even be added—some of the tricks of the schoolmen—being hard pressed and animated to forgetfulness. One of his clever *fetches* overwhelmed me for a moment. Up to April, 1818, all brevets in the army, including mine, had been conferred by the President, without the concurrence of the Senate. *Ergo*, they had been unconstitutionally given, or were of little or no worth; for the supreme law had declared—that "Congress may, by law, vest the appointment of

such *inferior* officers as they think proper in the President alone."* Recovering from the blow, I recollected that, in all tariffs for the exchange of prisoners of war, agreed upon by belligerents, the value of every grade of rank is estimated in privates. Thus in the cartel between the United States and Great Britain in the war of 1812–'15, a brigadier-general is put down as worth thirty privates, and a major-general at only ten more. Consequently, President Madison in making me a major-general, by brevet, had not made a major-general out and out (under the act of Congress), but only added the fractional value of ten privates to the grade of brigadier-general before (in my case), solemnly approved by the Senate; that is, but a *fourth* of the full value of a major-general. To this reply, overwhelming in its turn, I added the resolution of Congress giving me a gold medal, and two other acts, all recognizing, by express citation, my higher rank. I then turned upon my great adversary in the controversy, and triumphantly summed up by saying—if that presentation of my case amounted to nothing,

* This case shows that it is as dangerous to possess certain arts of rhetoric as to wear concealed weapons, as even good men are liable, under excitement, to use them improperly.

"why then, the world and all that's in it, is nothing; the covering sky is nothing; Bohemia nothing [etc.], for nothing, have these nothings, if this be nothing!"

Mr. Adams confessed himself pleased with the earnestness of this rejoinder; but it seems to belong to the creed of Roundheads, notwithstanding their great characteristics for good, in the past, and for the future, never to acknowledge error.

An incident occurred in this controversy, so curious, that it seems to be entitled to a record in this place. The late adjutant-general (Jones), a good soldier and a better man, calling on business one morning, found the President reading one of my letters then just received, and laughing heartily. "Here," said Mr. Adams, giving an abstract of the letter in his hand—"the general is commenting on the 61st, and 62d articles" of war—relative to rank and command, which, like the whole series, had come down from September, 1776, as borrowed by Congress from England, without change, till 1806—and charges that "some bungler, no doubt a clerk in the War Department, had ignorantly made the revision." Renewing his laughter, Mr. Adams added: "I am that bung-

ling clerk, for being a member of the Senate's committee, to which the subject was referred, in 1806, the labor of the revision fell to me!"

CHAPTER XVIII.

BLACK HAWK WAR — CHOLERA IN THE ARMY — INDIAN TREATIES—ROMANTIC TALE.

In 1832, Indian hostilities of some magnitude broke out against the then frontier settlements of the Upper Mississippi. Brigadier-General Atkinson, a dear friend of the autobiographer, an excellent man and fine soldier, collected such forces as were at hand—regulars, under Colonel (afterwards President) Taylor, with a much greater number of Illinois volunteers — and marched against Black Hawk and his volunteer band of confederate Sacs and Foxes, who were supported, not only by the sympathies, but material, secret aid, of their neighbors, the Winnebago tribe. As the exam-

ple of Black Hawk was likely to become infectious among many other Indians in that quarter—Sioux, etc., etc., Scott, who commanded at the time in the Eastern half of the United States, was, to meet contingencies, ordered to the Northwest, with a respectable number of regulars taken from the seaboard defences. Ascending Lake Huron, the Asiatic cholera, the new scourge of mankind which had just before been brought to Quebec, found its way up the chain of waters, in time to infect the troops of Scott's expedition at different points on the lakes. In his particular steamer, the disease broke out suddenly, and with fatal violence. The only surgeon on board, in a panic, gulped down half a bottle of wine; went to bed, sick, and ought to have died. There was nobody left that knew anything of the healing art, or of the frightful distemper—only Scott, who, anticipating its overtaking him in the Northwest, had taken lessons from Surgeon Mower, stationed in New York—eminent in his profession, and of a highly inquiring, philosophic mind—in respect to the character, and mode of treating the disease. Thus he became the doctor on the afflicting occasion—no doubt a very indifferent one, except in labor and intrepidity. He had provided the whole expedition

with the remedies suggested by Doctor Mower, which, on board his steamer, he applied, in great part, with his own hand to the sick. His principal success was in preventing a general panic, and, *mirabile dictu!* actually cured, in the incipient stage, by *command*, several individuals of that fatal preparation for the reception of the malady. It continued several days after landing, in July, at Chicago—then but a hamlet. As soon as the troops had become sufficiently convalescent they were marched thence across the wild prairies, inhabited by nomads of Potawatamies — Indians of doubtful neutrality. Scott preceded the detachments, and on arriving at Prairie du Chien, was glad to find that Atkinson, after a most fagging march of weeks and hundreds of miles, following the devious retreat of the Hawk, finally overtook him at the mouth of the Badaxe in the act of crossing the Mississippi, with his band, and in a gallant combat, killed many of his followers, made others prisoners, and dispersed the remainder. The principal chief and many hundreds of his people, men, women, and children, escaped across the river; soon, however, to be brought in by the Sioux, who were intimidated by the knowledge that reënforcements were approaching from the East. All

the fugitives from the battle, on both sides of the Mississippi, were ultimately brought in. Inspecting the hospital at Fort Crawford, Prairie du Chien (Taylor's post), Scott was struck with the remarkably fine head of a tall volunteer, lying on his side, and seeking relief in a book. To the question—"What have you there, my friend?" the wounded man pointed to the title page of Young's *Night Thoughts*. Scott sat down on the edge of the bunk, already interested, and learned this story:

The reader's brother, Mr. Paine, was Black Hawk's first victim. Not in a spirit of revenge, but to protect the surviving frontier settlers, the wounded man had become a volunteer. Riding into the battle of the Bad-axe, he passed an armed Indian boy, not more than in his fourteenth year, whom he might easily have sabred, but that he thought him a harmless child. The incipient warrior, however, fired, and lodged a ball against the spine of the noble volunteer, who, though still suffering greatly, declared that he preferred his condition to the remorse he should have felt if he had killed the boy believing him to have been harmless. Scott soothed the Christian hero by giving him the story (told above) of the Robinson Crusoe Pain, of the

Isle of Cape Breton, and took leave with moistened eyes.

Scott, with his principal forces, descended the Mississippi to Rock Island, a little above the mouth of Rock River, which he had given to all the neighboring Indians—friendly, neutral, or lately in arms—as the point of assemblage for the adjustment, by treaty, etc., of the rewards or punishments due to conduct in the recent troubles. There soon approached the confederate Sacs and Foxes, noble tribes, who reminded one of Dryden's fine triplet:

> ——"Free as nature first made man,
> Ere the base laws of servitude began,
> When wild in woods the noble savage ran."

The cunning Winnebagoes were also coming in, as well as the (for a time) doubtful bands of Sioux, and the not unfriendly Menominees. But just then the cholera broke out among the troops at the island, in all the violence of a first attack. On that account, Scott sent directions to all those Indians not to approach him till a new summons. In the mean time an incident occurred, like several others of a later date, at the same place, to illustrate the manners—morals, *mœurs*—of our red men—not yet taught by his white

brethren to lie, to cheat and steal, except to and from an enemy.

There were found at Fort Armstrong, Rock Island, the appointed scene of diplomacy, three civil prisoners, Sacs, confined by an Indian agent on the charge of murder — that is, surprising and killing a party of Menominees (old enemies), in exact retaliation, and according to Indian habits, of a like act on the part of the latter.

In reference to the terrible cholera, Scott said to the prisoners: "If I permit you, as you desire, to seek safety in the prairies, and, if attacked with the disease, to cure yourselves, with your own unscientific remedies—will you, when the cholera shall have left the island, return here to be dealt with—probably hung—as a civil court may adjudge?" They gave the required pledge.

It was accordingly arranged, that on the exhibition of a certain signal, hung out from a dead tree, at an elevated point of the island, they would return. Loaded with hard bread, and armed with guns, they were put ashore on the mainland. The cholera having passed away, the signal was given, when, in a day or two, the three *murderers* presented themselves! Scott

placed them again on parole, to await the answer to an appeal, in their behalf, he had already made to Washington. The answer finally came and was favorable.

The new summons was now given to all the tribes before mentioned, and obeyed, when conferences and grand councils of war for the settlements, before alluded to, commenced. While these were pending, a demand came up, from a judge of Illinois, sixty miles below, for an Indian murderer, his name unknown, but who had been distinctly traced to the camp of the great body of Sacs and Foxes whom the chiefs had contrived to hold in neutrality during the recent hostilities — influenced mainly by Keokuk—not a hereditary chief, and only a principal *brave* or warrior, the sense bearer, orator, and treasurer of the confederacy. The demand was communicated to this remarkable man. After a little musing, the painful truth of the story seemed to flash upon him. With candor he stated the grounds of his fears. A young *brave* of some twenty years of age, the son of a distinguished chief, had long sought to marry a handsome young squaw, the daughter of another famous chief; but the maiden repulsed the lover, applying to him the most oppro-

brious epithet—*squaw*—he never having taken a scalp, killed a grizzly bear, nor, by surprise, robbed an enemy of his arms, horse, or wife. Hence, she said her lover was not a *brave*, but a woman. Her sympathies were, moreover, with Black Hawk—her only brother having run off with that reckless chief. All these particulars were not yet known to the wise treasurer; for he had only been surprised at the change of conduct in the *belle sauvage*, who had so suddenly married her lover. Keokuk, in good faith, said he would inquire, for his great care had been to save his people from destructive war and entire spoliation, with which Black Hawk's conduct had caused them to be threatened.

The next day he called at headquarters and whispered that his fears had proved prophetic; that the happy bridegroom had, for the good of the confederacy, confessed himself to be the guilty party, and was at hand; but begged the general to repeat, in a full council, the demand, etc. This was accordingly done, and as soon as Scott's peroration—*I demand the murderer!* was interpreted, the young Apollo stood up and said: *I am the man!* With a violent stamp and voice Scott called out—*the guard!* A sergeant with a dozen

grenadiers rushed in, seized the offender and carried him off.

When the blacksmith began to place and rivet irons upon him he struggled furiously. It took several of the guard to hold him down. He said he did not come forward to be ironed; he did not wish to be tried, that he preferred to be shot at once. He was sent down to the Illinois court, then in session; put on his trial, and notwithstanding the strong circumstantial evidence, and that it was proven he had acknowledged the killing in a hand-to-hand fight—a tricky lawyer, well provided with the means of bribing, no doubt, by the chiefs of the confederacy, obtained from the jury a verdict of *not guilty*.

The acquitted had yet to pass another ordeal—one of fire and water. A swift horse, halfway between the court and the Mississippi (a few hundred yards off) had been provided for the occasion; but frontier men always have their rifles in hand, and their horses ready. The lawyer hastened his client out of court, and gained for him a good start. "Fly, young man, or your dear-bought Helen will soon be a widow!" In a minute, followed by some whizzing shots, he was in the saddle. In another, "horse and rider" were plunged into "the

great father of waters," swimming side by side. Now came up furiously a dozen mounted riflemen, who threw away their lead at the too distant game. The last news of the romantic Sac represented him as the happy father of a thriving family of "young barbarians," by more than a "Dacian mother,"—all far beyond the Mississippi.

Conferences were held with the Menominees and Sioux, and treaties signed with—first the Winnebagoes, and next with the confederate Sacs and Foxes, in separate general councils. There was a second commissioner, united with Scott, in these negotiations—Governor Reynolds. But the wearer of the sword, before Indians, is the effective orator.

The spirit of forbearance and liberality, on the part of the United States, were the prominent features in those settlements. Scott opened each council with stern reproach—reminding the confederate tribes that, by their failure to restrain one of their chiefs, Black Hawk, from making an unjust war upon the unoffending white settlers, near them, the whole confederacy had forfeited as much of their territory as the conquerors might choose to claim as an indemnity; and the Winnebagoes were informed, that their secret en-

couragement and preparations to join in highly criminal hostilities, made them liable to like punishment.

These emphatic denunciations being made perfectly clear, through excellent interpreters, and their justice shown to be indisputable, Scott, on each occasion, proceeded: "Such is justice, between nation and nation, against which none can rightfully complain; but as God in his dealings with human creatures tempers justice with mercy—or else the whole race of man would soon have perished—so shall we, commissioners, in humble imitation of divine example, now treat you, my red brethren! who have offended both against God and your great human father, at Washington." He then, in each case, demanded a portion of their superfluous territory—from the confederates, that next to the Mississippi, now the best part of Iowa; and from the Winnebagoes the northern part of Illinois—paying liberally for the cessions, and stipulating for the support at the cost of the United States, of schools and workshops, to teach reading, writing, arithmetic, and the more necessary mechanical arts.

Grateful replies were returned in each council. That of Keokuk, on the part of the Sacs and Foxes, was full of sound sentiment, power, and pathos.

The evening after signing the last treaty, the general gave a grand dinner to the principal chiefs, and had later, a brilliant display of pyrotechnics—that is, the throwing of fire balls from mortars, and firing of single and batteries of rockets, which caused much shouting of delight from the Indians encamped on the mainland—Rock Island being in the centre of an amphitheatre of high hills—notwithstanding their usual *nil admirari*, or phlegm.

The young officers of the army—all volunteers had been discharged by Scott, soon after the battle of the Badaxe—had a dance on the green turf at the same time—reels and quadrilles—with young *braves*—the Indian *mœurs*, like those of the Turks, forbidding that the red women should mix themselves up, in public, with their male superiors—barbarians! Many of the softer sex, however, were allowed to look on the dancers, and showed by their giddy chatterings that they would have been happier if whirled about in the dance by those charming young white *braves!*

Ah! how sad for man, and woman too, if not allowed, in youth and innocency, to converse, to talk, to play and laugh together.

The male partners of our officers were quick in

step and imitation, as well as in loud laughter, at every turn. A band furnished the music and heightened the joy of all.

Keokuk, too, contributed not a little to the entertainment by a pantomime, which needed no interpretation, of one of his successful expeditions against a hostile party. First the tedious march; streams to swim; next the rapid run, and now the stealthy step—beckoning to his followers the discovery of the unsuspecting enemy at camp fires with rifles laid aside, waiting a moment longer for the cooked venison they were destined never to eat;—then the rush upon the unarmed, and the slaying. In a moment all was over, but the shouting. Bigotini was never happier in pantomime at the Paris Opera.

A war dance was added by the same accomplished hero in peace as in war, whom Scott had solemnly invested with the rank and broad silver medal of a chief, with the consent of the tribe, and on an equal footing with the proudest who had inherited the title through long generations.

The sequel of the late troubles were thus closed, when all, of both colors, dispersed, contented and cheerful.

It was in allusion to the cholera and the foregoing settlements with the Indians, that General Cass, then Secretary of War, now one of the most venerable of American citizens, after a long life of usefulness and distinction—without one error in morals, and but few in politics—addressed to Scott a letter containing this passage:

"Allow me to congratulate you, sir, upon this fortunate consummation of your arduous duties, and to express my entire approbation of the whole course of your proceedings, during a series of difficulties requiring higher moral courage than the operations of an active campaign, under ordinary circumstances."

A published letter from an intelligent officer of the army, still unknown, but supposed to have been the lamented Captain Richard Bache (a descendant of Dr. Franklin), deserves a place in this narrative. It is more in detail, and better *motivé* than the Secretary's:

He says that "the general's course of conduct on that occasion should establish for him a reputation not inferior to that which he has earned in the battle field; and should exhibit him not only as a warrior, but as a

man—not only as the hero of battles, but as the hero of humanity. It is well known that the troops in that service suffered severely from the cholera, a disease frightful enough from its rapid and fatal effects, but which came among us the more so, from the known inexperience of our medical men, and from the general belief, at that time, in its contagiousness. Under such circumstances it was clearly the general's duty to give the best general directions he could for proper attendance on the sick, and for preventing the spread of the disease. When he had done this, his duty was performed, and he might have left the rest to his medical officers. But such was not his course. He thought he had other duties to perform, that his personal safety must be disregarded to visit the sick, to cheer the well, to encourage the attendants, to set an example to all, and to prevent a panic—in a word, to save the lives of others at the risk of his own. All this he did faithfully, and when he could have had no other motive than that of doing good. Here was no glory to be acquired; here was none of the excitements of the battle field; here was no shame to be avoided, or disgrace to be feared; because his general arrangements and directions to those whose part

it was to battle with sickness, had satisfied duty. His conduct then exhibited a trait in his character which made a strong impression on me, and which, in my opinion, justice requires should not be overlooked."

CHAPTER XIX.

REJOINS HIS FAMILY—ORDERED TO CHARLESTON—NULLIFICATION—INCIDENTS—PEACE RESTORED.

Scott now hastened to join his family, at West Point, in their retreat from the cholera in New York. He himself, always in its presence, experienced symptoms of the infection; but without taking a remedy, he had, so far, escaped prostration.

Passing through Cincinnati, he told the eminent Dr. Drake, judging by his usual feelings, that the evil was about to burst upon the inhabitants, which happened the next day. Sleeping at Chambersburg, where he arrived late at night, he was much cramped, and learned, next morning, that a cholera patient was just dead on the same floor. At Philadelphia he told

his friends, Professors Chapman and Gibson, that the disease was still lingering with them, and always well on the road, he might have said the same thing at New York. Here, eating a sumptuous dinner, for the first time in many months, with wine, at Delmonico's, he took the evening steamer for West Point, with stronger premonitions than ever before; lay down to sleep, determined if, on waking up, the symptoms continued, to pass his family and die somewhere beyond them. Happily, getting into a healthy atmosphere, he, at the end of two hours, found himself again well.

It was now about the 4th of November. But little rest with his family was allowed. Having done much work, more was demanded. In a few days he received an order from the War Department, marked confidential, to hasten to Washington. He passed, unknowingly, Mr. Secretary Cass on the road to the North. Scott, arriving in the evening, had no one to report to, but President Jackson himself. Waiting upon him at once, he, after a gracious reception, adverted to the certainty that South Carolina would very soon be out of the Union—either by nullification or secession. On that probability, he condescendingly invited Scott's views as to the best measures of counteraction—he him-

self being patriotically resolved to stand his ground—*The Union must and shall be preserved.* Scott, in reply, suggested strong garrisons for Fort Moultrie (Sumter was not quite above ground), Castle Pinckney, and the arsenal at Augusta, Georgia. The latter was filled with the *matériel* of war—then easily seized and emptied by a sudden expedition across the bridge that made Hamburg, in South Carolina, a faubourg of Augusta—there being always, in both places, hundreds of cotton wagons harnessed up. He added, that besides troops, a sloop-of-war and some revenue cutters would be needed in Charleston to enforce the collection of duties on foreign importations. "Proceed at once and execute those views. You have my *carte blanche*, in respect to troops; the vessels shall be there, and written instructions shall follow you," were the President's prompt orders, given orally.

In the act of taking leave, Scott was invited to wait a moment for supper. He replied that as he should proceed South in the morning, he had only that hour for calling upon his friend, Ex-President Adams, a little distance off. "That's right," said General Jackson, "never forget a friend." Mr. Adams astonished Scott not a little by two remarks: 1. "You are going South

to watch the nullifiers." (There was no intercourse between him and his successor whatever.) 2. "Mr. Calhoun will be the first to give way. He will show the white feather!"

Scott reminded Mr. Adams that this was about his usual time for making his regular tour of inspection along the Southern seacoast. "Yes," he reiterated, "to watch the nullifiers."

Scott reached Charleston a few days after the passage of the ordinance of nullification. On the journey he had twisted a little an ankle. This was fortunate, and he made the most of the accident to cover delays at Charleston, Savannah, and Augusta; for it was important to the interests of uninterrupted peace, that he should not, by open preparations for defence, precipitate hostilities,—the minds of nullifiers, about half of the population, being much inflamed, and on the *qui vive*. As biennial inspector, he contrived, by a little hobbling, to visit Fort Moultrie and Castle Pinckney; gave confidential instructions to enlarge and strengthen the fort, etc. Orders were also sent for the handfuls of troops (single companies, from many points) necessary to complete garrisons. Thence he visited Augusta in the same way, and for a like purpose. That being

accomplished, he fell down to Savannah, where he laid himself up rather more than the improved ankle required, because an early return to Fort Moultrie would unquestionably have betrayed the special purpose of his presence; have caused an immediate attempt to seize Fort Moultrie, and, probably, an intestine war, as bad as that which is now (February, 1864), afflicting the good old Union.

While lying at Savannah, awaiting a nearer approach of the impending crisis in South Carolina, the reply, below, was written to the Honorable William C. Preston, afterwards of the Senate of the United States —then a leading member both of the legislature and convention of South Carolina.

No one intimately acquainted with this distinguished man can speak of him without seeming, to a stranger, to run into extravagance. With the purest morals, and a wife worthy to glide "double, swan and shadow," down the stream of life with him—they were "lovely and pleasant in their lives, and in their death [not long] divided."

He, so highly gifted in genius and fancy; highly accomplished as a scholar, a gentleman, and a statesman; with powers of oratory to enrapture the multi

tude, and edify the intelligent;—with a soul so genial and voice so sweet, as to win all who approached him —young and old, men, women, and children—was, at this unhappy period, given up to nullification. His good genius, however, triumphed in the end; for he lived long enough to make atonement to the Union, and to die (in 1860) faithful to the same allegiance that distinguished his grandfather, Campbell, of King's Mountain, and also his immediate parent, General Frank Preston, long a member of Congress from South-western Virginia.

Letter from Major-General Scott to the Honorable Lewis Cass, Secretary at War.

[Extract.]

"HEADQUARTERS, EASTERN DEPARTMENT,
SAVANNAH, *December* 15, 1832.

"SIR:

"I have had the honor to address you once from this place since my return from Augusta. The letter bore date the 10th or 11th instant. In it I stated that I had not the time to retain a copy.

"I now take the liberty to enclose a copy of a private letter which I addressed to William C. Preston,

Esq., a leading member of the South Carolina Legislature, and a nullifier. I do this, because letters from me to individuals of that party should be seen by the Government, and because this letter contains the sentiments and topics which I always urge in conversation with nullifiers.

"It will be seen that I speak of the arrival of troops in the harbor of Charleston. I did this because I knew the movement of the troops was, or would be soon known, and because I wish to prevent the idea of offensive operations (invasion.) Such an idea might precipitate the State authorities into some act of open hostility, which would not fail to be followed by a civil war, at least among her own citizens."

SAVANNAH, *December* 14, 1832.

MY DEAR SIR:

You have an excellent memory to remind me, after so long an interval, of my promise to visit you when next on a tour to the South, and I owe you an apology for not earlier acknowledging your kind letter. It was handed to me just as I was about to leave Charleston, and I have been since too constantly in motion (to Augusta, and back here) to allow me to write.

As to the "speculations" at Columbia relative to "the object of my visit to Charleston at this moment," I can only say, that I am on that very tour, and about the very time, mentioned by me when I last had the pleasure of seeing you. On what evils days we have fallen, my good friend, when so commonplace an event gives rise to conjecture or speculation! I can truly assure you, that no one has felt more wretched than your humble correspondent, since an unhappy controversy began to assume a serious aspect. I have always entertained a high admiration for the history and character of South Carolina, and accident or good fortune, has thrown me into intimacy, and even friendship, with almost every leader of the two parties which now divide and agitate the State. Would to God they were again united, as during the late war, when the federalists vied with the republicans in the career of patriotism and glory, and when her legislature came powerfully to the aid of the Union. Well, the majority among you have taken a stand, and those days of general harmony may never return. What an awful position for South Carolina, as well as for the other States!

I cannot follow out the long, dark shades of the picture that presents itself to my fears. I will hope, nev-

ertheless, for the best. But I turn my eyes back, and, good God! what do I behold? Impatient South Carolina could not wait—she has taken a leap, and is already a foreign nation; and the great names of Washington, Franklin, Jefferson, and Greene, no longer compatriot with yours, or those of Laurens, Moultrie, Pinckney, and Marion with mine!

But the evil, supposing the separation to have been *peaceable*, would not stop there. When one member shall withdraw, the whole arch of the Union will tumble in. Out of the broken fragments new combinations will arise. We should probably have, instead of *one*, *three* confederacies—a Northern, Southern, and Western reunion; and transmontane Virginia, your native country, not belonging to the South, but torn off by the general West. I turn with horror from the picture I have only sketched. I have said it is dark; let but one drop of blood be spilt upon the canvas, and it becomes "one red."

> "Lands intersected by a narrow frith
> Abhor each other. Mountains interposed
> Make enemies of nations, which had else,
> Like kindred drops, been mingled into one."

But you and my other South Carolina friends have

taken your respective sides, and I must follow out mine.

You have probably heard of the arrival of two or three companies at Charleston, in the last six weeks, and you may hear that as many more have followed. There is nothing inconsistent with the President's message in these movements. The intention simply is, that the forts in the harbor shall not be wrested from the United States. I believe it is not apprehended that the State authorities contemplate any attack, at least in the present condition of things, on these posts; but I know it has been feared that some unauthorized multitude, under sudden excitement, might attempt to seize them. The President, I presume, will stand on the defensive—thinking it better to discourage than to invite an attack—better to prevent than to repel one, in order to gain time for wisdom and moderation to exert themselves in the capitol at Washington, and in the state house at Columbia. From humane considerations like these, the posts in question have been, and probably will be, slightly reënforced. I state what I partly know, and what I partly conjecture, in order that the case which I see is provided for in one of your bills, may not be supposed to have actually occurred.

If I were possessed of an important secret of the Government, my honor certainly would not allow me to disclose it; but there is in the foregoing neither secrecy nor deception. My ruling wish is, that neither party take a rash step, that might put all healing powers at defiance. It is, doubtless, merely intended to hold the posts for the present. A few companies are incapable of effecting any further object. The engineer, also, is going on, steadily, but slowly, in erecting the new work (Fort Sumter, near the site of Fort Johnson, long since projected for the defence of the harbor), the foundation of which is but just laid. When finished, some years hence, I trust it may long be regarded, both by South Carolina and the other States, as one of the bulwarks of our common coast.

There is nothing in this letter intended to be confidential, nor intended for the public press. When I commenced it, I only designed giving utterance to private sentiments, unconnected with public events; but my heart being filled with grief on account of the latter, my pen has run a little into that distress. Let us, however, hope for more cheering times. Yet, be this as it may, and whether our duties be several or common, I shall always have a place in my bosom for the

private affections; and that I may ever stand in the old relation to you, is the sincere wish of your friend,

WINFIELD SCOTT.

The time of danger at length arrived, and so had the detachments of troops in the harbor of Charleston, each company astonished to meet the others. Scott borrowed the revenue cutter of the collector, who supposed him to be bound to St. Augustine—a supposition neither favored nor denied by Scott, who giving orders not to take letters, sailed from Savannah "for parts unknown" to all but himself. Passing the Tybee bar, the astonished master of the cutter was told to *stand for the harbor of Charleston.* The next day Scott was ensconced in Fort Moultrie, where, for several days, he lay, without the knowledge of anybody in Charleston, save his friend—the great patriot and moral hero—James L. Petigru (now lately dead of a broken heart at the state of the country), and a few other friends of the Union—Poinsett, Huger, etc., etc.

Finding that at a general meeting in the city, the leaders of the *quasi* rebellion had proposed and carried a resolution to suspend its commencement, in order to await the result of certain compromise measures before

Congress—Scott again, to avoid the irritation the threatening aspect of his presence might occasion, quietly embarked in another cutter for the North, *via* Wilmington, North Carolina—intending to return before the expiration of the *quasi* armistice. Colonel Bankhead, Scott's chosen second in command—a manly, generous soldier, was left to improve, in the mean time, the discipline of the troops and the strength of the forts.

In the night, late in January, Scott reëmbarked in the lower harbor of New York for Charleston—his departure unknown in the city, and also his name to the master and owners of the packet. That same day, he despatched an article to his friend, General Broadnax, the acknowledged leader of the Virginia Legislature, against both nullification and secession, containing politico-military views and arguments not likely to occur to the minds of many civilians, and which, being published in the newspapers at the time and place, had a considerable effect in preventing Virginia from plunging into the South Carolina vortex, to which her State Right doctrines made her but too prone. She was then saved; but, at the second temptation (in 1861) lost in rebellion!

"The mother of States," late in January, 1833,

passed resolutions recommending that the offensive ordinance of South Carolina be repealed, and requesting Congress to mitigate the tariff. The third step, taken at the same time, was to appoint a commissioner of persuasion and peace to her wayward sister—perhaps, not entirely in harmony with the spirit of the supreme law of the Union that prohibits "any agreement or compact" between States. The person selected for that duty was the Honorable Benjamin Watkins Leigh, already mentioned in these memoirs as Scott's earliest and longest-continued friend—soon after a distinguished Senator of the United States, and distinguished in every previous walk of his life for virtue, talent, and usefulness—whose motto always was: *Right ends, pursued by means as good as the ends.* Shaking hands in Charleston, the two friends exclaimed together: *How strange our meeting here, and how strange the occasion!*

In every case where there was a liability of collision between the Federal and State authorities, Scott consulted with the District Attorney, Gilchrist, with Petigru, etc., always holding himself ready to support the marshal by force. Happily no collision fell out between the parties. But the duties of Scott were most critical, requiring the nicest observance and delicacy of

management, to avoid the shedding of the *first* drop of blood; for failing in this, the two home parties, nearly of equal numbers, and always ready for blows, would instantly have rushed into the affray, and have filled the State with the sound of hostile arms. Nor could such calamity have been pent up within her borders; but must have raged and spread like the present dire rebellion.

Perhaps the peace observances alluded to, though great in the aggregate, were, separately, too small in detail for historical record; yet nothing that tended to prevent a civil war ought, by patriots, to be regarded as trivial. Besides, the record may be valuable to future commanders finding themselves in similar circumstances. The basis of Scott's policy was *humility and forbearance* on the part of the United States' troops, officers, and men. The crews of the rowboats, which consisted of men selected on account of their intelligence and sobriety—for marketing purposes, visiting the post office, and conveying officers up and down between the fort and the city—were made to comprehend and support that policy. The general, sometimes a passenger himself, took that instruction into hand. He said to the crews, and as often as practicable to

officers and others of the garrison: "These nullifiers," all known by their palmetto cockades, "have, no doubt, become exceedingly wrong-headed, and are in the road to treason; but still they are our countrymen, and may be saved from that great crime by respect and kindness on our part. We must keep our bosoms open to receive them back as brothers in the Union. If we succeed by such means in this endeavor, it will be a great moral triumph, worth much more to our country than crushing victories in the field. In walking the streets let us give place to *all* citizens. Bad words and even casting mud upon us, can do no harm. We shall show our courage by quietly passing along. I rather think that I should disregard even a few brickbats, and *remember*, my gallant fellows, that *you are no better than your old commander!* But should those misguided men be driven to the field by our neglect or their own inherent madness;—should they drop the name of Americans, and under the wing of some foreign power make war upon us, then, in tears and blood we will crush them!!" Such remarks often repeated, and falling from an officer of high rank, needed, for propagation among troops, no printing press. They ran through mouths and ears of all with wonderful rapidity.

Hundreds of citizens, respectable men, decorated with the palmetto, visited the fort in the course of every week. Scott, and many of his intelligent officers, made it a point to converse freely with those citizens, and to show to some of the seniors and most intelligent, the interior of the defensive works—always taking care to remark: "You see we have made ourselves as strong as possible, and wish it to be known to our neighboring countrymen; because it is to be feared, that in the unhappy excitement prevailing, some unauthorized multitude, by a sudden impulse, may rush upon us, in ignorance, and to their certain destruction." Some of the graver of those visitors were, on many occasions, even invited by the general to dine at the officers' mess, and treated with the highest courtesy.

At a public meeting of nullifiers—there was more than one a week—to keep up excitement—Governor Hamilton in a *tirade* told the multitude that, to try the question whether the Federal authorities would dare to stop, at the fort, dutiable articles till satisfaction of all tariff demands, he had ordered some boxes of sugar from the Havana, and "my friends," he added, with great applause, "if Uncle Sam put his robber hand on the boxes, *I know you'll go the death*

with me for the sugar!" The ship soon arrived, the sugar was quietly taken out, locked up in the fort, and kept a secret from everybody in Charleston, except the importer; because, if known, consistency in folly might have caused an attempt to execute the threat.

While all good patriots were fearful of folly and madness on one side, and with aching eyes turned to Congress on the other;—that is, while all were in the agony of suspense—a great calamity fell upon Charleston, which Scott instantly sought to turn to the interests of peace. At nightfall, it was seen at the fort that a fire was raging in the city, which, aided by a fresh breeze, was likely to reduce everything combustible to ashes. The drums beat the *long-roll*, the garrison leaped from an unfinished supper, and, in a moment, all were under arms. Scott in his usual tone stated the reason for the call;—made a short appeal to the sympathies of the soldiers, and asked for volunteers to aid in stopping the fire. All stepped forward. He directed the company officers to select some three hundred men, and prepare the boats. In the mean time he despatched Major Heileman, an excellent officer and man, who, from long service in the harbor had made himself a favorite with everybody in the city—to report

to the Intendant (mayor) that he would soon be followed by detachments of men anxious to help their friends in the existing calamity. He was told to say that the troops would arrive *without arms*, and take care not to allow the crabbed Intendant time to retort: "*D—n General Scott and his arms! I'm not afraid of them;*" but to add, in his first breath: "This is said in order that should you set the soldiers to guard banks and property in the streets, you may see the necessity of lending them a few stands of muskets." The gallant Major Ringgold (mortally wounded under General Taylor on this side of the Rio Grande) at the instant came up with some eighty lusty fellows, ready for the good work. He reported himself to the sulky Intendant, unworthy of the city and his office—who made no reply to either of those officers. Just then, a citizen called to Ringgold, "Here, Major, for God's sake save my sugar refinery, for the adjoining house has caught the flames!" Ringgold turning to his men said: "*Do you hear that my lads; we'll go the 'death for the sugar!'*"—a most happy quotation from Governor Hamilton, that caused everybody to smile but the Intendant, who evidently considered the kind presence of the soldiers a most untoward event to the cause

of nullification. Ringgold's party soon tore down the house next to the refinery, and mainly by the aid of the other troops and a body of United States' sailors, the devouring element was stayed everywhere.

Scott remained up to welcome and applaud his noble detachments. The good citizens, melting with gratitude, had been liberal in the offer of bread, cheese, and cider—the soldiers declining ardent spirits, and all, sober and happy, were in their own beds by one o'clock the same night.

Mr. Leigh, much with the nullifiers, to whom he had been commissioned, wrote to Scott the next day, that "a great good had been effected. It works powfully."

One other incident occurred during this same state of lingering agony that seems entitled to come upon this record. The nullifiers, though they regarded Scott askance, and with feelings bordering on honest, but mistaken hatred, had not lost all the brightness of their old chivalry, and hence, in the Jockey Club, united with the Union members in extending to Scott an invitation to attend the approaching races—a sort of annual jubilee, which always brought to Charleston, in February, most of the numerous families of wealth,

refinement, and fashion in the State. The club, moreover, did him the honor to appoint a man of mark as his *cicerone* for the occasion, and in case of need, a ready, very sufficient protector. This true chevalier was the Ex-Governor Wilson, a staunch nullifier, formerly a powerful editor of a newspaper;—a recent translator of certain Greek fragments into elegant English poetry;—in early life, almost a professed duellist, but of late the common pacificator in private quarrels;—not yet old, but subdued in temper, probably more by remorse than age, and now benignant in smiles and sentiments.

The two, Wilson and Scott, had hardly reached the Stranger's Stand, before Mr. Leigh, from the Governor's Stand, came almost breathless to Scott: "Why," he said, "this rash step you are about to take—a new fort at this critical moment, when the friends of peace are just beginning to hope it possible to avoid a civil war?" "My good friend, I don't comprehend you," replied Scott. "Oh, there is no use in mystery on the subject. Here's a Washington paper (received in advance of the mail) containing a letter to you from the War Department, telling you to cause Stono Inlet to be examined, with a view to a fort at that point."

Now it was true Scott had, some time before, received such letter, but was astonished to find it had been published. It was certainly, under the circumstances, a most sinister publication—quite athwart Scott's peace policy and measures; for if a spade had been, about that time, put into the ground for a new work beyond Sullivan's Island, civil war would have been inaugurated on the spot. Happily Scott was enabled to say, with truth, that he had absolutely no intention of sending an officer or a man to that point, and that to occupy it by a fort or troops was entirely outside of his military views and purposes. Mr. Leigh and Governor Wilson hastened to communicate this assurance to the high officials and others on the ground, all in a state of morbid excitement, breathing defiance and war.

Considering the oral and written instructions Scott had before received from the President and Secretary of War, it is difficult to imagine the necessity for this missile. Through some babbler an inkling of the order reached the ears of a member of the House of Representatives, when, in a spirit of hostility, it was called for and thrown out, as a firebrand among more than a million of States' Rights men south of the Potomac ready for explosion.

Awhile later Congress passed the Compromise Act; the South Carolina Convention reconvened and rescinded the nullification ordinance, when Leigh and Scott returned North in a state of quiet satisfaction.

Scott called at the President's mansion. Vice-President Van Buren, a temporary guest, came down to receive him, and told the visitor that he had read all his reports, official and semi-official, from the South, and kindly spoke of them with emphatic approbation. The President himself soon followed and touched lightly the same subject—deigning a few terms of measured praise.

This extreme temperance of phrase on a great occasion slightly awakened Scott's suspicion that the reconciliation between the parties in 1823, was, with General Jackson, but external; although the habit of his, Scott's mind, was of the opposite character—he, always, accepting as sound maxims, that "more men are duped by suspicion than by confidence,"* and that—"Evils may be courted, may be woo'd and won by *distrust.*"† But more of the particular suspicion in the sequel.

Mr. Leigh, who died in 1849, in a published letter, addressed to Edward D. Mansfield, Esq., author of

* Le Cardinal de Retz, Liv. II. † Proverbial Philosophy.

Scott's biography, and many works of great scientific and literary merit, said: "I was in Charleston when Scott arrived and assumed command [his last visit, about the first of February—by sea, from New York], which he did without any parade or fuss. No one who had an opportunity of observing on the spot the excitement that existed can have an adequate conception of the delicacy of the trust. General Scott had a large acquaintance with the people of Charleston. He was their friend; but his situation was such that many, the great majority of them, looked upon him as a public enemy. * * * * * He thought, as I thought, that the first drop of blood shed in civil war, between the United States and one of the States, would prove an immedicable wound, which would end in a change of our institutions. He was resolved, if possible, to prevent a resort to arms, and nothing could have been more judicious than his conduct. Far from being prone to take offence, he kept his temper under the strictest guard, and was most careful to avoid giving occasion for offence; yet he held himself ready to act, if it should become necessary, and he let that be distinctly understood. He sought the society of the leading nullifiers [old friends], and was in their society as

much as they would let him be, but he took care never to say a word to them on the subject of political differences; he treated them as a friend. From the beginning to the end his conduct was as conciliatory as it was firm and sincere, evincing that he knew his duty and was resolved to perform it, and yet that his principal object and purpose was peace. He was perfectly successful, when the least imprudence might have resulted in a serious collision."

CHAPTER XX.

TACTICS—GENERAL REGULATIONS—FLORIDA WAR—CREEK WAR—JACKSON'S WAR UPON SCOTT—COURT OF INQUIRY.

In 1834–'5 the autobiographer translated and adapted to the particular organization of the United States' Infantry, unencumbered with a board, the new French Tactics on the old basis. His *General Regulations* for the army, or *Military Institutes*, had, in a new impression years before, dropping his name, been blurred, mutilated, and spoiled under high military authority. This, his last edition of tactics, was soon, under the same protection, abridged and emasculated down to utter uselessness, by the present adjutant-general of the Confederate army, without the knowledge of Scott, and

next pirated, in great part, under the immediate protection of Mr. Secretary Jefferson Davis, by one of his pets, now a division commander in the Confederate army, aided by another pet of the same Mr. Davis, a major-general of the United States' volunteers, who, recently, following up the old hostility of that *clique*, has entirely superseded Scott's tactics, with the consent of a loyal Secretary of War, and two loyal regular generals, all three the professed friends of Scott, but who did not chance to know anything of the particular history or the merits of the case, and through Scott's personal neglect of his own fame and interests. With a single added remark, the result of an old experience, the autobiographer will dismiss this subject for ever:—*It is extremely perilous to change systems of tactics in an army in the midst of a war, and highly inconvenient even at the beginning of one.*

A slight incident occurred about this time, which, though perhaps below the dignity of history, may be tolerated in personal memoirs, which are usually of a more anecdotal character, and written with greater freedom and ease.

Scott being on a short visit to Washington, had the honor to be invited to dine with President Jackson,

and was further complimented by being assigned to conduct an agreeable lady, to him a stranger, to the table, where he was desired to place her between the President and himself. Towards the end of the sitting General Jackson said to the fair lady, in a tone of labored pleasantry, that is, with ill-disguised bitterness: "I see you are pleased with the attentions of your neighbor. Do you know that he has condemned all the measures of my administration?" Mrs. —— was perfectly shocked. Scott promptly replied: "Mr. President, you are in part mistaken. I thought highly of your proclamation against nullifiers, and yesterday, in the Senate, I was equally pleased with your special message on the French Indemnity question, which I heard read." "That's candid!" retorted the President. "He thinks well of two—*but two!* of my measures." The lady evidently regarded Scott, like the old general, as a bad subject of the realm. The most unsuspicious nature might now plainly see that the bolt was forged, and would in due time be launched.

The Seminole war, which commenced by the surprise and massacre of Major Dade, and about one hundred and ten men, December 28, 1835, may from its cost (about twenty millions) and duration (seven years)

be called a great war. Brigadier-General Clinch, nearest at hand, advanced on the Indians, and at the head of a small force won the battle of Withlacoochee. Major-General Gaines hastily collected, at New Orleans, a body of volunteers and some companies of regulars, and soon reached Florida. He marched past the scene of the massacre, buried the dead, and proceeded towards Fort Drane for supplies. His detachment, attacked by the Seminoles on the Withlacoochee, intrenched themselves, and would probably have shared the fate of Dade's party, but for a prompt undictated movement by Brigadier-General Clinch, commanding at Fort Drane—a man of singular excellence —whose sentiments had the unvarying truth of instincts, and whose common sense always rose to the height of the occasion.

Clinch liberated the beleaguered Gaines, who held a parley with the Indians, and abandoning the great and single object of the Government—their emigration, according to the treaty of Payne's Landing—he annulled that treaty, and told them if they would remain quiet, they might continue to occupy the whole country south and east of that river! This the superannuated general preposterously called *dictating a peace to*

the Indians! and went off swiftly to New Orleans, rejoicing! Now as the conceit made one man happy, it would have been well enough; but that the staff officers at that city, learning that the war had been happily finished by a single *coup de maître*, failed to send to Tampa Bay the supplies for men and horses that Scott, the successor of Gaines, had ordered thither! Scott's embarrassment — throwing out the ludicrous cause thereof, was serious and irremediable.

His advance on Tampa Bay in two columns, by different routes—one commanded by General Clinch, with whom Scott marched, and the other by Colonel Linsay, was unmarked by a single event of interest, except that Clinch's passage of the Withlacoochee was slightly opposed by the enemy. The whole expedition returned (again by several routes) to the northeast of Florida for these reasons: 1, The failure of supplies, already noticed, and 2, The term of service of the troops, except that of a handful of regulars, was near its expiration.

Scott was next ordered to the Chattahoochee River. The Creek Indians (much connected with the Seminoles), being also under treaty stipulations to leave Alabama and Georgia for the far West, had begun to

show symptoms of resistance. He proceeded to Columbus on that river, late in May, with the Florida fever upon him. Here he soon had collected a sufficient body of Georgian volunteers; but they were without arms and ammunition. These supplies had been promptly ordered, principally from the arsenal at Augusta. There was a great delay in their arrival. In the mean time Major-General Jesup, second in command, at the head of the Alabama volunteers, on the opposite side of the hostile Indians, without waiting for the joint action prescribed by Scott—an advance from all points at once against the enemy, by which all would have been hemmed in and captured—flushed and scattered the main body of the Creeks with but small results. Jesup, who was well aware of Scott's bad standing with the President, and to indemnify himself for the complaints of his senior in an unhappy moment—a short forgetfulness of old feelings and obligations—addressed a private letter to the editor of the official paper at Washington, denouncing Scott's dilatoriness against the Creeks, and likening it to his want of energy in the Florida war.

The letter was laid before the President, who, too happy that the moment had at length arrived to launch

the bolt so long held in readiness, ordered—*Let Jesup be placed in command, and Scott before a Court!* But before meeting the thunderer full face to face, it will be best to follow up the interminable Seminole war.

In Florida, Jesup succeeded Scott, who, with small numbers and inadequate supplies, had less than thirty days for operations. On Jesup, now the double pet of the President, who commanded in Florida some eighteen or twenty months, and had lavished upon him men, means of transportation, and supplies of every other kind beyond anything ever known before in war, everything depended,—with full power to buy up all the Indians he could not capture. Success on any terms and by any means—it being doubly important to build up the new favorite, as that could not fail to give consummation to the blows intended for Scott. But Jesup, with all those great aids, signally failed, when, smitten with remorse, he retracted his charge of dilatoriness, etc. The *amende* lacked a little in fulness, but Scott, in time, forgave.

Brigadier-General Taylor, who won the battle of Okechobee, succeeded Jesup, and was, in time, succeeded by Brigadier-General Armistead; and, finally, in 1842, towards the end of the seventh year of the

war, Brigadier-General Worth patched up a sort of treaty or agreement with those Indians, under which the bands of Sam Jones and Bowlegs were allowed to remain and to possess a large tract of their original country.

Scott, who had failed to do that in less than thirty days, which, pets and others did not accomplish in more than six years, was now to meet before a court the unbroken power and popularity of the most remarkable man on this side of the Atlantic of the 19th century.

Establishing himself in Tennessee, after attaining manhood, in a region where civilization was but in the dawn, Andrew Jackson had the heroic characteristics suited to that condition. In the frequent strifes and conflicts among the settlers, his neighbors, he himself at that period also much of a bully, with a born talent for command, jumped in between the hostile parties, and at once, by words, silenced the feud, or became the partisan of one side and soon subdued the other. Elevated to the bench, though unlearned in the law, he knew well how to enforce order. A bully, in open court, knocked down an opponent. Said the judge: "Sheriff, seize that man, and place

him at the bar to receive judgment for his contempt of the court." The sheriff soon reported: "May it please your honor, the offender is armed and won't let me seize him." "Very well," the judge replied—"Summon the *posse!*" After a time, the sheriff again reported: "Sir, the man is on horseback, at the door; I have summoned everybody, and nobody dares to touch him." "Summon me, sir!" was the next order. The *posse* of one (the judge) soon wounded and unhorsed the offender, helped to take him up bodily, placed him at the bar, reascended the bench and pro nounced the merited sentence. This certainly was an effective way to civilize a rude, wild people—to break their necks to the necessary yoke of the law.

His Indian wars were well enough. But, at New Orleans, with fearful odds of British troops against him, he despaired not of success; poured his own great spirit into all around him; struck the advancing enemy a timely blow in the night of December the 23d, that paralyzed him for the next sixteen days—a great gain—and then, owing in part to the stupidity of attacking strong intrenchments by daylight, won the crowning victory of the war.

In short, such was his antithetical character that

the future philosophic historian will be forced to say—"We scarcely can praise it or blame it too much;" for, without the charm of romance to distemper the mind, he took possession of a man's wife (whom he made his own) and shot another man in a duel, leisurely and with great deliberation, after the latter had lost his fire. He invaded Spanish Florida, and took Pensacola and St. Marks, without a declaration of war by Congress, or instructions from the President, as well as without necessity; and then, at the door of the Senate, within hearing of many of its members, threatened, on their adjournment, to cut off the ears of two principal committee men that had condemned his conduct toward a nation with whom the United States were at peace.

And prior to this period, at New Orleans, flushed with the great victory of January the 8th, and knowing to a certainty, though not officially, that a treaty of peace between the United States and Great Britain had been signed at Ghent, he imprisoned a Federal judge for issuing a writ of *habeas corpus* in favor of one of his (Jackson's) civil prisoners without the least color of the tyrant's plea—*necessity*. Yet this eminent man, of a double nature, was only immoral in the specified instances. In all else he was mild, and tem-

perate—*except when in passion*—and even a professor of religion, though he entirely ignored the Christian injunction, "Let not the sun go down on your wrath."

It may well be maintained that for his popularity with the multitude, he owed fully as much to his demerits as to his virtues and splendid services. Everywhere in the deep columns of his supporters the loud cry could be heard: *Washington was great, but Jackson is greater!*—just as faithful Mussulmans shout at every turn: *God is great and Mahomet is his prophet!* The enthusiasm in behalf of the American also partook largely of allegiance—bigoted idolatry; and it may be placed to his credit—to the bright face of his duality—that he did not profit by the circumstances, and intrench himself for life in the Presidency with remainder over to his heirs and assigns.

Coming up to the executive chair of a great people, he was not in the least intoxicated by power; but coolly appointed a friend, one of his secretaries, whose marriage and its antecedents were exactly like his own, and broke up his first cabinet because some of the members and their families would not associate with the tainted couple. Enveloped in the fumes of the pipe, with only the occasional imprecation—*by the eter-*

nal! he cut off the heads of more office-holders than all his predecessors put together. And this not in any sudden spasm of vindictiveness. The pleasure was economized and long drawn out, his partisans hunting up new victims; for "increase of appetite had grown by what it fed on."

Lord Byron, in 1809, visited Ali Pacha, of Yanina (or Janina), then an old man, and formed quite an intimacy with him. Several years later the Pacha, in a Latin epistle, told Byron that he had just then taken a hostile town, where his mother and sisters had been insulted forty-two years before, and relates as a meritorious action, that he caused to be seized and shot, under his eye, every surviving offender, his children, grand children, and connections, to the number of six hundred! Hobhouse, the companion of Byron, describes the Pacha as "possessing a pleasing face." Doctor Holland, another traveller, compares the spirit that lurked beneath Ali's usual exterior to "the fire of a stove, burning fiercely under a smooth and polished surface." And Galt, writing about the same Turk, calls him—"That agreeable-mannered tyrant." *

* Notes to Canto II., Stan. 63, of *Childe Harold*, and Canto IV., Stan. 45, of *Don Juan*.

At length, late in the autumn of 1836, the time for the certain condemnation of Scott arrived. The court of inquiry consisted of Major-General Macómb, possessed of many military accomplishments, gentlemanly manners, and a generous bias towards the right in sentiment and conduct, but not always of absolute proof against combinations of audacious power and official influence. Atkinson and Brady were walls of adamant against all political violence and injustice. Such were the three members of the court, with the amiable Cooper (the aide-de-camp of Macomb) judge advocate.

Scott in his address to the court, after the overwhelming evidence in his favor had been recorded, had still to approach the merits of the question with circumspection; for the old lion, whose power was yet to endure several months, began to growl lest he might after all lose his prey.

It is repeated that Scott approached the merits of the case with circumspection: 1. From his great and undeviating respect for the constituted authorities of his country; and 2. From the reasonable fear that General Jackson, still President, might in passion dismiss the court and the subject of investigation before the verdict of honorable acquittal could be recorded. Hence

the tone of Scott's address; and he never employed counsel or asked for legal advice in any military controversy. With deep feeling and correspondent solemnity he said:

"*Mr. President, and Gentlemen of the Court:*

"When a Doge of Genoa, for some imaginary offence, imputed by Louis XIV., was torn from his government and compelled to visit France, in order to debase himself before that inflated monarch, he was asked, in the palace, what struck him with the greatest wonder amid the blaze of magnificence in his view? 'To find *myself* here!' was the reply of the indignant Lescaro. And so, Mr. President, unable, as I am, to remember one blunder in my recent operations, or a single duty neglected, I may say, that to find myself in the presence of this honorable court, while the army I but recently commanded is still in pursuit of the enemy, fills me with equal grief and astonishment.

"And whence this great and humiliating transition? It is, sir, by the fiat of one, who, from his exalted station, and yet more from his unequalled popularity, has never, with his high displeasure, struck a functionary

of this Government, no matter what the office of the individual, humble or elevated, who was not from the moment withered in the general confidence of the American people. Yes, sir, it is my misfortune to lie under the displeasure of that most distinguished personage. The President of the United States has said, 'Let General Scott be recalled from the command of the army in the field, and submit his conduct in the Seminole and Creek campaigns to a court for investigation.' And lo! I stand here to vindicate that conduct, which must again be judged in the last resort, by him who first condemned it without trial or inquiry. Be it so. I shall not supplicate this court, nor the authority that has to review the 'opinion' here given. On the contrary, I shall proceed at once to challenge your justice to render me that honorable discharge from all blame or censure which the recorded evidence imperiously demands. With such discharge before him, and enlightened by the same mass of testimony, every word of which speaks loudly in my favor, the commander-in-chief of the army and the navy cannot hesitate; he must acquiesce, and then, although nothing may ever compensate me for the deep mortification I have been recently made to experience, I may hope to

regain that portion of the public esteem which it was my happiness to enjoy on past occasions of deep moment to the power and the glory of the United States of America."—*Reported in National Intelligencer.*

After a severe and concise synopsis of the evidence by Scott, the court unanimously approved his conduct. His plan of the Seminole campaign was pronounced to have been "well devised and prosecuted with energy, steadiness, and ability," and the court added that, in respect to the Creek war, his plan "was well calculated to lead to successful results, and that it was prosecuted by him as far as practicable with zeal and ability, until recalled from the command." (An account of these transactions and most of the events in the life of Scott, are given in greater detail and terse eloquence in Mansfield's biography of the autobiographer.)

The emphatic verdict of acquittal in this case, openly approved by hosts of his supporters, administered to President Jackson the first wholesome rebuke he had received in that office. He was made to feel that it shook the public faith in his supremacy. Hence he did not dare to set aside the well-

reasoned, solemn acquittal; nor, would he—faithful to his vindictive nature—approve the verdict of the court; but left that duty to his successor in the high office.

CHAPTER XXI.

HONORS TENDERED — BIDDLE FAMILY — SPEECH OF R. BIDDLE, M. C., VINDICATING SCOTT—JACKSON'S MARTIAL LAW—HIS DEATH.

RETURNING to his headquarters, New York, a public dinner in honor of his triumph before the court, was tendered to the acquitted by a long list of prominent citizens of both parties. The following letter to a committee gives the result:

"NEW YORK, *May*, 1837.

"GENTLEMEN:

"Early last month I accepted the invitation to a public dinner, which you and other friends did me the honor to tender me. In a few days the commercial

embarrassments of this great emporium became such that I begged the compliment might be indefinitely postponed. You, however, were so kind as to hold me to my engagement, and to appoint a day for the meeting, which is now near at hand. In the mean time the difficulties in the commercial world have gone on augmenting, and many of my friends, here and elsewhere, have been whelmed under the general calamity of the times.

"Feeling deeply for the losses and anxieties of all, no public honor could now be enjoyed by me. I must, therefore, under the circumstances, positively, but most respectfully withdraw my acceptance of your invita tion.

"I have the honor, etc., etc.,

"WINFIELD SCOTT."

The subscribers to the dinner held a meeting, the Hon. Cornelius W. Lawrence in the chair, and unanimously passed the following resolutions:

"*Resolved*, That in the decision of General Scott to withdraw, for the reason assigned, his acceptance of the public dinner designed to testify to him our high appreciation, both of his private and public character,

we find new evidence of his sympathy with all that regards the public welfare, and of his habitual oblivion of self, where the feelings and interests of others are concerned.

"*Resolved*, That we rejoice with the joy of friends in the result, so honorable to General Scott, of the recent court of inquiry, instituted to investigate his military conduct as commander-in-chief in Alabama and Florida, and that the President of the United States (Mr. Van Buren), in approving its proceedings, acted in gratifying unison with the general sentiments of the nation."

Like honors were tendered about the same time from a number of other cities, far and near, and all declined.

About to quote a speech on the recent events, just narrated, delivered in the House of Representatives, in the session of 1837–'8, by Richard Biddle, of Pittsburg, the autobiographer cannot resist the temptation to dedicate a few lines to his connection with the remarkable family of the orator, including the General Thomas Cadwallader of the war of 1812–'15, one of them, by marriage; a citizen of the greatest excellence, and like them a Federalist, but devoted in public meetings and

associations, and in every other way to the support of the war *after it was declared.*

Scott's intimacy with the united families commenced with Cadwallader, a major-general of militia, but most worthy of a like rank in the regular army; next with two brothers, both majors, Thomas and John Biddle, who served with Scott in the campaigns of 1813 and 1814, and were highly distinguished for gallantry, intelligence, and efficiency. At Philadelphia, he also became much connected, officially and in society, with the venerable father of the two majors, the chairman of the *Committee of Defence*, who had been a leading patriot in the Revolution, and Vice-President of Pennsylvania, under the Presidency of Dr. Franklin; with Nicholas Biddle, an elder brother of the majors, sometime Secretary to Mr. Monroe, Minister at London, and also the same to General Armstrong, Minister at Paris, and recognized in both countries as an accomplished scholar and linguist, who was, in 1813–'14, a leader in the Pennsylvania Senate, where he carried a bill for raising ten thousand regular troops, by conscription, at the cost of the State, for the general service of the Union, when its treasury was without both money and credit. (Virginia and South Carolina had

the honor of passing similar bills about the same time.) Another brother, the senior of Nicholas, the gallant Commodore James Biddle, of the United States' Navy, was early distinguished in the harbor of Tripoli and other conflicts, and crowned his valor and seamanship by the capture, in the Hornet, 18 guns, of the British sloop-of-war Penguin, of about the same force. Richard, the fifth and youngest brother, though but a lad, bore arms, under General Cadwallader, in 1813, '14, '15, in camps, formed on the Delaware, as often as his native city, Philadelphia, was threatened by the enemy in the same war. He began his profession, as a lawyer, at Pittsburg; soon became the leader of that bar, and first took his seat in the House of Representatives, December, 1837. Here, in a service of three or four years, he became the most classical and effective debater of his time. How painful it is to reflect that not an individual named of this remarkable family—all intimate friends of the autobiographer—survives! One of the family, however, standing in the same relation to Scott, remains — Charles J., son of Nicholas, brevetted a major "for gallant and meritorious conduct at Chapultepec," Mexico, that is, as the successful leader of a storming party; next an eminent member of

the Philadelphia bar, and recently a member of Congress.

On an appropriation for carrying on the Seminole war, in his first session as a member of the House of Representatives, Mr. Richard Biddle said:

"It would be recollected by all, that after the war in Florida had assumed a formidable aspect, Major-General Scott was called to the command. An officer of his rank and standing was not likely to *seek* a service in which, amidst infinite toil and vexation, there would be no opportunity for the display of military talent on a scale at all commensurate with that in which his past fame had been acquired. Yet he entered on it with the alacrity, zeal, and devotion to duty by which he has ever been distinguished.

"And here (Mr. B. said) he might be permitted to advert to the past history of this officer.

"Sir, when the late General Brown, writing from the field of Chippewa, said that General Scott merited the highest praises which a grateful country could bestow, was there a single bosom throughout this wide republic that did not respond to the sentiment? I for one, at least, can never forget the thrill of enthusiasm,

boy as I then was, which mingled with my own devout thankfulness to God, that the cloud which seemed to have settled on our arms was at length dispelled. On that plain it was established that Americans could be trained to meet and to beat, in the open field, without breastworks, the regulars of Britain.

* * * * * * * *

"Sir, the result of that day was due not merely to the gallantry of General Scott upon the field. It must in part be ascribed to the patient, anxious, and indefatigable drudgery, the consummate skill as a tactician, with which he had labored, night and day, at the camp near Buffalo, to prepare his brigade for the career on which it was about to enter.

"After a brief interval he again led that brigade to the glorious victory of Bridgewater.* He bears now upon his body the wounds of that day.

"It had ever been the characteristic of this officer to seek the post of danger, not to have it thrust upon him. In the years preceding that to which I have specially referred—in 1812 and 1813—the eminent services he rendered were in positions which properly be-

* Niagara or Lundy's Lane—three names for the same battle of July 25, 1814.

longed to others, but into which he was led by irrepressible ardor and jealousy of honor.

"Since the peace with Great Britain, the talents of General Scott have ever been at the command of his country. His pen and his sword have alike been put in requisition to meet the varied exigencies of the service.

"When the difficulties with the Western Indians swelled up into importance, General Scott was despatched to the scene of hostility. There rose up before him then, in the ravages of a frightful pestilence, a form of danger infinitely more appalling than the perils of the field. How he bore himself in this emergency—how faithfully he became the nurse and the physician of those from whom terror and loathing had driven all other aid, cannot be forgotten by a just and grateful country."

* * * * * * * *

"Mr. Chairman, I believe that a signal atonement to General Scott will, one day, be extorted from the justice of this House. We owe it to him; but we owe it still more to the country. What officer can feel secure in the face of that great example of triumphant injustice? Who can place before himself the anticipa-

tion of establishing higher claims upon the gratitude of the country than General Scott? Yet *he* was sacrificed. His past services went for nothing. Sir, you may raise new regiments, and issue new commissions, but you cannot, without such atonement, restore the high moral tone which befits the depositaries of the national honor. I fondly wish that the highest and the lowest in the country's service might be taught to regard this House as the jealous guardian of his rights, against caprice, or favoritism, or outrage, from whatever quarter. I would have him know that, in running up the national flag, at the very moment our daily labors commence, we do not go through an idle form. On whatever distant service he may be sent—whether urging his way amidst tumbling icebergs, toward the pole, or fainting in the unwholesome heats of Florida —I would enable him, as he looks up to that flag, to gather hope and strength. It should impart to him a proud feeling of confidence and security. He should know that the same emblem of majesty and justice floats over the councils of the nation; and that in its untarnished lustre we have all a common interest and a common sympathy. Then, sir, and not before, will you have an army or a navy

worthy to sustain and to perpetuate the glory of former days."

Before entering on a new administration, disregarding the rigors of chronology, in favor of continuity of subjects, the autobiographer adds two more notices of General Jackson. The following *review* was written by Scott, pending a discussion in Congress on a bill to refund the fine levied by Judge Hall for Jackson's arrest of the judge.

From the National Intelligencer of January 4, 1843.

"*Martial Law, by a Kentuckian; four Essays, republished in the pamphlet form, from the Louisville Journal*, 1842; *pp.* 14."

"This timely publication, understood to be from the pen of a distinguished ex-judge of the Kentucky Court of Appeals,* discusses, with much learning and ability, the extraordinary doctrines recently avowed in Congress and elsewhere, attributing to a commander of an army in the field, the right to proclaim and en-

* S. S. Nicholas.

force *martial law* as against *citizens* (including legislators and judges) wholly unconnected with the military service.

The monstrous proposition avowed has raised the indignant voice of *a Kentuckian*, and it is only necessary to read him to consign the speeches and writings he reviews to the same repository with the *passive obedience and non-resistance* doctrines of the Filmers and Hobbses of a former age.

With a view to a similar discussion, I had been occasionally engaged, for a week, in collecting materials, when a friend placed in my hands a copy of the pamphlet mentioned at the head of this article. Finding it to cover nearly the whole ground I had intended to occupy, I shall now confine my humble labors to selections from my notes, planting here and there a few principles, authorities, and illustrations in such corners or blank spaces as *a Kentuckian* has overlooked.

In England, the land forces in the public service —regulars and militia, of whatever name and arm— are governed by an *annual* mutiny act, and a sub-code called *articles of war*, made by the king, under the express authority of the former. The preamble of that act always recites:

'Whereas, the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland, unless it be with the consent of Parliament, *is against law*, and, whereas, it is judged necessary by his Majesty and his present Parliament that a body of forces should be continued for the safety (etc.), and that the whole number of such forces should consist of —— thousand men, exclusive of (etc.); and, whereas, no man can be forejudged of life or limb, or subjected to any kind of punishment within this realm, by *martial law*, or in any other manner than by the judgment of his peers, and according to the known and established laws of the realm; yet, nevertheless, it being requisite for the retaining all the before-mentioned forces in their duty, that an exact discipline be observed, and that soldiers who shall mutiny or stir up sedition, or shall desert his Majesty's service, be brought to *a more exemplary and speedy punishment* than the usual forms of law will allow; be it therefore enacted,' etc. (when follow a careful enumeration of all the higher crimes which military men can commit against discipline; that is, against good order and subordination in an army. At the end of each enumeration, the act declares that every officer or soldier so

offending 'shall suffer death, or such other punish ment as by a court martial shall be awarded.')

The *articles of war* are entirely subordinate to the mutiny act, and originate nothing but certain smaller details for the *better* government of the forces.

It is in view of the high principles of civil liberty, consecrated by Parliament as above, that Tytler, for a long time Judge Advocate of Scotland, says in his *Essay on Military Law:* 'Martial Law was utterly disclaimed as binding the subjects in general. The modern British soldier, enjoying in common with his fellow subjects, every benefit of the laws of his country, is bound by the military code solely to *the observance of the peculiar duties of his profession.*' And so Lord Loughborough, Chief Justice of the Common Pleas (soon after as Earl of Roslin, Lord High Chancellor), said, in Trinity Term, 1792, on a motion on behalf of Sergeant Grant: 'Martial Law, such as it is described by Hale, and such also as it is *marked* by Sir William Blackstone, *does* not exist in England at all.' He gives examples, in the way of distinction between Great Britain and continental Europe, as also between military persons and others at home, thus: 'In the reign of King William there was a conspiracy against

his person in Holland. The persons guilty of that conspiracy were tried by *a council of officers.* There was a conspiracy against his person in England; but the conspirators were tried by *the common law.*' Therefore (adds the Chief Justice), 'it is totally inaccurate to state *martial law* as having any place *whatever* within the realm of Great Britain, as against subjects not in the line of military duty.' But (he continues), an army is established in this country (etc.); it is an indispensable requisite (etc.), that there should be order and discipline (etc.); that the persons composing it should, for all offences in their *military* capacity, be subject to a trial by their officers.' Tytler's Essay, with this opinion of Lord Loughborough, given in a note at length, was published in the last century, and was in the hands of our officers, generally, before the War of 1812.

There is in the *Encyclopædia Britannica* an excellent *popular* view, given by an eminent lawyer, of the same general question:

'Military, or martial law, is that branch of the laws of war which respect military discipline, or the government and control of persons employed in the operation of war. Military law is not exclusive of the common law; for a man, by becoming a soldier, does

not cease to be a citizen, or member of the commonwealth. He is a citizen still, capable of performing the duties of a subject, and answerable in the ordinary course of law, for his conduct in that capacity (as murder, theft, and other felonies). Martial law is, therefore, a system of rule *superadded* to the common law for *regulating the citizen in his character of a soldier.*'

Notwithstanding those conservative views, long embodied in the laws and public opinion of England, which hold in utter abhorrence the application of martial law to any person not at the time in the military service, one general, and many eminent statesmen and public writers are found on this side of the Atlantic, who ignorantly suppose that that law, described and stigmatized by Hale and Blackstone 'as in truth and reality *no* law, but something *indulged* rather than allowed as law,' is a part of the common law in these States, because mentioned in those great common-law writers, and therefore an engine which every commander of an army in the field may *indulge* himself with, at his own wanton discretion, against the free citizens of republican America!

Is there anything in *our* statute book to warrant a conception so monstrous?

We have no *mutiny act*, so called. Our 'rules and articles for the Government of the *armies* of the United States' were borrowed from that act and the British articles of war (in part), July 30, 1775, before the Declaration of Independence. The code was enlarged by the old Congress from the same sources, September 20, 1776. In this form it was enacted by the first Congress under the Constitution; and again reënacted, substantially the same, April 10, 1806, as it stands at present. The act consists of but three sections. The first declares: 'The following shall be the rules and articles by which the *armies* of the United States shall be governed;' and gives one hundred and one articles. Each article is confined, in express terms, to the persons composing the army. The next—the celebrated *second section*—contains the only exception; and what an exception! It is in these words:

'In time of war, all persons *not* citizens of, or owing allegiance to, the United States of America, who shall be found lurking, as *spies*, in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death, according to *the law and usage of nations*, by sentence of a general court martial.'

'Not citizens,' because if citizens, and found so 'lurking,' the crime would be that of *treason*—'adhering to [our] enemies, giving them aid and comfort;' and is so defined by the Constitution.

The third, or remaining section of our military code, merely repeals the previous act, which adopted the resolves of the old Congress for governing the army.

There is nothing, then, in this code to give the slightest pretence that any part of it can, by possibility, be applied to citizens not attached to an army.

A Kentuckian further argues against such barbarian application, from the silence of the Constitution. But, in a matter so infinitely important to the existence of free government and our civil liberties, the Constitution is *not* silent. The fifth amendment expressly declares: 'No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, '*except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger.*' (The militia, by the previous article 1, section 8, can only be called out 'to execute the laws of the Union, suppress insurrections, and repel invasions.') And the

6th amendment is to the same effect: 'In all criminal prosecutions (the exception of military persons, as above, being understood) the accused shall enjoy the right to a speedy and *public* trial by an impartial *jury*.' (Military courts always deliberate in *secrecy*.)

If these amendments do not expressly secure the citizen, not belonging to an army, from the possibility of being dragged before *a council of war* or *court martial*, for any crime, or on any pretence whatsoever, then there can be no security for any human right under human institutions!

Congress and the President could not, if they were unanimous, proclaim martial law over any portion of the United States, without first throwing those amendments into the fire. And if Mr. President Madison (begging pardon of his memory for the violent supposition) had sent an order to General Jackson to establish the odious code over the citizens of New Orleans during, before, or after the siege of that capital, it would have been the duty of the general, under his oath to obey the Constitution, to have withheld obedience; for, by the 9th article of war (the only one *on orders*), officers are not required to obey any but 'lawful commands.'

General Jackson 'took the responsibility' with as little of necessity, or even utility, as of law. In this he stands distinguished from every American commander from the Declaration of Independence down to the present day. The *Constitution*—not the writ of *habeas corpus* merely—being suspended, he imprisoned Mr. Louallier; he imprisoned the Federal Judge (Hall) for issuing a writ of *habeas corpus* to inquire into the cause of that imprisonment; and he imprisoned the United States' District Attorney (Dick) for seeking to procure from a *State* judge a writ of *habeas corpus* for the Federal judge. Mr. Louallier, a citizen of the United States (by the treaty of Louisiana), a highly respectable member of the State Senate, and in no way connected with the army, was put on trial *for his life*, before a court martial, on five several imaginary charges. One of these was *for being a spy*, under the second section, given above! Whatever may be our astonishment at the fact that a court of *American* officers should have proceeded, under illegal orders, to try such a prisoner on such charges, they saved themselves and the country from that last of degradations—the finding the prisoner guilty *because* accused by the commanding general. Mr. Louallier was acquitted.

When Pompey played the petty tyrant at Sicily, as the lieutenant of that master-despot Sylla, he summoned before him the Mamertines. That people refused to appear, alleging that they stood excused by an ancient privilege granted them by the Romans. 'What!' said Sylla's lieutenant; 'will you never have done with citing laws and privileges to men who wear swords!' Roman liberty had already been lost in the distemperature of the times. *Inter arma silent leges* found its way into our young republic in the thirty-ninth year of its existence.

If Pompey had gained the battle of Pharsalia, would his odious reply to the Mamertines have been forgiven by the lovers of law and of human liberty? *With such maxims of government*, it was of little consequence to the Roman world that Cæsar won the day. A Verres would have been as good as either.

For the glorious defence of New Orleans, Congress voted thanks and a gold medal to the hero. That measure of justice was short at both ends. *Censure and a monument should have been added.*

That all soldiers in our republic do not concur in the maxims above reprobated, a striking example lies before me. In the general regulations for the army,

drawn up in 1825 by one of our officers [Scott] and cheerfully obeyed *by all*, we have this head: '*Subordination to the civil authorities;*' and under it, the following:

'Respect and obedience to the civil authorities of the land is the duty of all citizens, and more particularly of those who are *armed* in the public service.

'An individual officer or soldier who resists the civil authority, will do so at his peril, as in the case of any other citizen; but union or concert between two or more military men in such resistance, whether *voluntary* or *by order*, would be a much more serious offence, and is, therefore, positively prohibited.

'A civil officer charged with the execution of civil process will, on making known his character, be freely permitted to pass and repass all guards and sentinels.

'In the case of *criminal* process, issued by the civil authority against military persons, all officers are expressly required by the 33d article of war to give *active* aid and assistance.'

This article of war is too remarkable to be omitted here. Like the mutiny act of England, it speaks of 'the known laws of the land,' in contradistinction and as superior to the martial code. Under it, Gen-

eral Jackson's own officers were bound to aid in causing the writ of *habeas corpus* to be executed against him, as also in executing the precept for his appearance before the judge, if he had refused to appear, and to submit to the sentence of the court. The article is a part of the law of Congress and of the Constitution, being enacted in strict pursuance to the latter.

'*Article* 33. When any commissioned officer or soldier shall be accused of a *capital crime* or *of having used violence*, or *committed any offence* against the persons or property of any citizen of any of the United States, such as is punishable *by the known laws of the land*, the commanding officer and officers of every regiment, troop or company, to which the persons so accused shall belong, are hereby required, upon application duly made by, or in behalf of, the party or parties injured, to use their utmost endeavors to deliver over such accused person or persons to the civil magistrate, and likewise to be aiding and assisting to *the officers of justice* in apprehending and securing the person or persons so accused, in order to bring him or them to trial. If any commanding officer or officers shall wilfully neglect, or shall refuse, upon the application aforesaid, to deliver over such accused person or persons, *to*

the civil magistrates, or to be aiding and assisting to *the officers of justice*, in apprehending such person or persons, the officer or officers so offending shall be cashiered.'

This rule and article 'for the government of the armies of the United States,' is as old, on the statute book, as our glorious Revolution of 1776, and as old in England (whence we borrowed it) as the glorious Revolution which drove out James II. and *his* martial law.* It is expressed in the very spirit of the Anglo-Saxon race—ever jealous of liberty. Under this safeguard—with spirited citizens, independent judges, and obedient soldiers, taught their duties to the civil authorities—what military officer dare to suspend the Constitution, or the writ of *habeas corpus*, or to imprison citizens—each a *capital crime* or an act of gross *violence*?

A Kentuckian has cited, from most of the State constitutions, express provisions placing the military, at all times and under all circumstances, in strict subordination to the civil authority. In South Carolina, during the Revolutionary War, at the moment that Sir Henry Clinton was investing the devoted city of

* Martial law as applied to persons not of the army has been unknown in England since that great event.

Charleston, and the Tories were in arms everywhere, the Legislature of the State empowered her excellent Governor, John Rutledge, after consulting with such of his counsel as he conveniently could, 'to do everything necessary for the public good, *except the taking away the life of a citizen without legal trial.*' Under that exception, at a time when there was no Constitution of the United States, to shield the liberty and the life of the citizen, there was no Louallier deprived of one and put in jeopardy of the other, by martial law.

It is vulgarly supposed, particularly by those who, 'dressed in a little brief authority,' and lust for more, that the suspension of the writ of *habeas corpus* lets in upon the citizen *martial law*. The suspension by Congress would, certainly, for the time, enable power to hold any citizen incarcerated without cause, and without trial; but, if brought to trial, it must still be before one of the ordinary courts of the land. In the suspension by *martial law*, as in continental Europe, all other writs, remedies, and rights which might stand in the way of power, according to its own arbitrary will, would be suspended at the same time. Tyrannic rule could want nothing more.

It is a curious fact that this writ has been but

twice *practically* suspended—(by Generals Wilkinson and Jackson)—in both instances at New Orleans, and never once, constitutionally, anywhere in the United States since the Declaration of Independence. The Constitution declares that 'the privileges of the writ of *habeas corpus* shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it,' in the opinion of Congress.

During Burr's conspiracy, Mr. Giles, in the Senate, upon a message from the President, introduced a bill for a three months' suspension of that great writ. It was, in a panic, immediately passed, and sent to the House, January 26, 1807. The House, all on the same day (January 26), refused to deliberate in secrecy; and, on the question, 'Shall the bill be rejected?' the votes stood—ayes, 113; noes, 19; a great triumph of civil liberty over panic and outlawry!

This is the only constitutional attempt at suspending the writ of *habeas corpus* ever made in free America. May we never hear of another in Congress or elsewhere!

A Soldier of One War."

It has been seen that the autobiographer, being in

Paris, got up, under very extraordinary circumstances (see above, p. 166), the first celebration of the 8th of January—the anniversary of the great defence of New Orleans. So, being President of the Board of West Point visitors, in June, 1845, news came to him, while a class was under examination, which caused him to make this short address: "*Major Delafield, Superintendent.* I suspend the further labors of this examination till to-morrow, in honor of an event interesting to all Americans. A great man has fallen among us. ANDREW JACKSON, after filling the world with his fame, and crowning his country with glory, departed this life on the 8th instant. It is not for any authority inferior to the President, to prescribe the special honors to be paid to the illustrious dead by the military posts and troops of the United States. No doubt, orders on the subject will soon arrive from Washington."—And so ended Scott's relations with the hero of New Orleans.

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CHAPTER XXII.

PRESIDENT VAN BUREN—FINE TEMPER—CANADIAN AGITATIONS—BURNING OF THE CAROLINE—SCOTT SENT TO THE FRONTIER—THE TURMOIL QUIETED—SCOTT SENT TO REMOVE THE CHEROKEES.

Mr. Van Buren succeeded to the presidency. With a very respectable degree of moral firmness, all his other qualities were in happy contrast with those of his predecessor.

Few men have ever suffered less wear and tear of body and mind from irascible emotions. Hume, in his *unique* autobiography, says of himself: "I am, or rather was" (for being at the end of life, "emboldens me the more to speak my sentiments);—I was, I say,

a man of mild disposition, of command of temper, of an open, social, and cheerful humor, capable of attachment, but little susceptible of enmity, and of great moderation in all my passions," which advantages he, some pages before, puts down as of more worth than "to be born to an estate of ten thousand a year."

According to this mode of estimation, Mr. Van Buren, throughout a long life, was a *millionaire*. He entered on the presidency with right intentions toward his country and all mankind, and with the needful gifts and abilities to make an excellent practical administrator of the Executive Department—only that from the sense of gratitude to General Jackson, he felt himself obliged to work with (one exception) the old cabinet, consisting of members he never would have selected for himself; and, in the second place, he retained a little of his early and only weakness—an inclination toward the *expedient* more than either of the Catos, a Hampden, or Roland would have approved.

The autobiographer became early in the War of 1812–'15 acquainted with Mr. Van Buren, an acquaintance that soon ran into intimacy and friendship; and he believes he was the first to suggest that, with his advantageous standpoint, it would be easy for the

rising New Yorker to make himself the President of the United States. That friendship was cooled down —suspended, for many years—Mr. Van Buren taking an active part in behalf of Mr. Crawford, for the presidency, in the election of 1824, and Scott, though standing aloof, being, in his open *wishes*, on the side of Mr. Adams. The separation continued through the contest that elected General Harrison to the presidency in 1840. The social courtesies, however, between the parties, as often as they chanced to meet, remained all the while unchanged.

As soon as elected to the presidency (November, 1836), Mr. Van Buren, highly approved of his son's (Major Abram Van Buren) wish to join Scott, then before the court of inquiry at Frederick, on the ground that he might be needed as a witness on certain points only known, as he (the major) supposed, to himself, while a volunteer aide-de-camp to Scott, in the Seminole war. Indeed, for the same delicate reason, the major had declined, some months before, against a strong inclination, to make the tour of Europe, although he and Scott (through wrongs of third parties) were not, at the time, on speaking terms; and further, although Scott had given assurances that he could, by

circumstantial evidence, dispense with the major's presence.

His arrival, however, was of great value as a volunteer secretary; for Scott had been without any one of his staff (two regular aids) from the beginning of the court. Major William de Peyster, of New York, and for some time planter in Florida, had marched with Scott from Tampa Bay as a volunteer aid, and tendered him good assistance as an amanuensis at Frederick.

A word more on this subject may be pardoned the autobiographer. Major Van Buren, as paymaster, made the campaign of Mexico with Scott, and although encumbered with a military chest, containing money and vouchers, amounting to millions, he never failed, at the first gun, to hasten, mounted, to Scott, as a volunteer aid, and gallantly rode through every battle, a bearer of orders, with his accustomed quiet smile and amiability. The lieutenant-colonelcy given him at the end of this war was the inadequate reward of such heroism.

President Van Buren, while in office, never omitted on proper occasions, to show kindness to Scott, and it gives the latter great pleasure to add, that the ancient friendship between the parties became revived some

twenty years before the death of the former and continued up to that event.

In the winter of 1837–'8, a singular disturbance broke out on the lake and northern frontiers of the Union. A number of radicals, in the Canadas, had, a little earlier, begun to agitate in favor of certain revolutionary changes, with an eye, on the part of many, toward ultimate annexation to the United States. The heat of the strife soon crossed the frontiers and extended, in many directions, to the depth of forty and sixty miles into the United States. More than two hundred thousand Americans took the infection, organized themselves into lodges, bound by oath to secrecy, and ridiculously enough, without ever having been in Canada, or knowing anything about the merits of the question, called themselves *Canadian Patriots!* —eager to invade the Provinces and fight for *their* rights!! Here was another of "the cankers of a calm world and a long peace."

A circumstance soon occurred that exasperated to a high degree the frontier population on the American side from Lake Michigan to the borders of New Hampshire. *A mauvais sujet*, calling himself *Colonel* Van Rensselaer (no relation of the patroons), a dismissed

cadet from the Military Academy, had organized a number of those Americans whose patriotism was in a foreign country, and taken possession of a small British island called *Navy Island*, opposite to Schlosser, on the American side, about a mile and a quarter above the Niagara Falls. Here, after the Canadian people—the militia themselves—had, without regulars, suppressed an attempted revolt in that neighborhood—Van Rensselaer hopelessly awaited events. A little steamer, the Caroline, came down, December 29, to serve as a ferry boat between the island and Schlosser, and made fast for the night to the wharf of the latter. Before morning an expedition, under a Mr. McLeod, was fitted out from the Canada side, which shirked the British island, where it might easily have captured the patriot camp, and seized, by surprise, the steamer; killed several persons on board; set her on fire, and sent her adrift over the cataract—as it was erroneously believed, for a time—with wounded Americans in her hold. This was a clear violation of neutrality, involving murder, which outrages caused all along the frontiers, a very general cry for war—by, or without authority.

The news reached Washington late in the day of

January 4, 1838. It so happened that President Van Buren had invited to dine with him, the same evening, Mr. Clay and a large number (nineteen) Whig friends, with three or four Democrats. The autobiographer was one of the former. All had arrived, and the appointed hour had long gone by, but still the President was absent. He, it became known, after a time, was in council with his cabinet. The Whigs jestingly inquired of the Democrats if the President had abdicated or was about to resign. All were equally ignorant, merry, and hungry. At length the master of the feast came down, and whispered the news to Mr. Clay and Scott—saying to the latter: "Blood has been shed; you must go with all speed to the Niagara frontier. The Secretary of War (Mr. Poinsett) is now engaged in writing your instructions."

The circumstances, as already known, were sufficiently critical, and private letters represented that there was reason to apprehend the city of Buffalo might be seized, perhaps, sacked, by the outraged Canadians, to break up the hotbed of the *patriots* and destroy their dépôts.

Passing through Albany, and not knowing what number of the militia he might have occasion to call

for, Scott, at his own suggestion, prevailed on Gov ernor Marcy and the adjutant-general of the State (McDonald) to accompany him to the scene of difficulties, so that no time might be lost by a correspondence between Federal and State authorities three hundred and fifty miles apart.

There were no regular troops on the Niagara They were all in Florida, or on the Western frontiers. Journeying through New York, Scott had ordered to follow him several detachments of army recruits. To supply the needed physical force, he had ample powers to call for the uninfected militia of the Border States, including Western Virginia and Kentucky.

1. All this was quite a new scene for Scott. In 1812, '13, '14 he had appeared on the same theatre as the leader of battalions and participator in victories. Now, rhetoric and diplomacy were to be his principal weapons, his countrymen and friends the objects of conquest, and a little correspondence with the British authorities beyond the line, as an episode to the whole. Had Scott not been a soldier, though he had been the famed Athenian orator or the American

> "Henry, the forest-born Demosthenes,
> Whose thunders shook the Philip of the seas,"

his entreaties and harangues would have been wholly lost upon his hearers. But the memory of other days gave to him an influence which he would have sought in vain without it. The soldier of 1812, '13, '14, reappearing near the scene of his former activity, drew forth the applause of listening multitudes.

2. During the winter of 1838 and that of 1838–'9, he was busy in exercising his influence for peace, and in quieting the disturbed frontiers. This was his employment for many months of the coldest season of each year. The patriot movements were chiefly confined to the season of frost, which, bridging with ice some of the waters separating the two countries, greatly favored descents upon Upper Canada. Scott was ably seconded in watching and counteracting those movements by distinguished officers. General Brady, on Lake Erie and the Detroit frontier, General Worth (made General 1842) on the Niagara, Lake Ontario, and St. Lawrence frontier, and Generals Wool and Eustis on the northern side of New York and Vermont, were active in aiding Scott in his arrangements, and pacifying the borderers. The troops, both regulars and volunteers, proved to be steady supporters of law and order, and were held everywhere ready, as *posses*, at the call of the United

States marshals and collectors. The army officers mentioned were the district commanders.

3. Scott posted himself nowhere, but was by turns rapidly everywhere, and always in the midst of the greater difficulties. In these winter campaigns against the trespassers of the borders, he passed frequently along the frontier, sometimes on the Detroit and sometimes on the north line of Vermont. His journeyings were made by land, and principally in the night; oftentimes with the cold from ten to twenty degrees below freezing point. Daylight he chiefly employed in organizing the means of counteraction by an extensive correspondence and the labors of direct pacification. He obtained, and pressed upon Federal district attorneys, marshals, and collectors, information of the designs and movements of the patriots, and tendered to those civil functionaries the aid of the troops. In performance of his duty as a peacemaker, he addressed, on a line of eight hundred miles, immense gatherings of citizens, principally organized sympathizers, who had their arms at hand.

4. In these addresses he declaimed with fervor, and they were often received with the loud applause of the audience. He handled every topic which could inspire

shame in misdoers, or excite pride in the friends of the Government and country. His speeches were made with popular illustrations and allusions, and addressed both to the knowledge and the sentiment of the people. He reminded them of the nature of a republic, which can have no foundation of permanency except in the general intelligence, virtue, respect, and obedience of its people; that if, in the attempt to force on unwilling neighbors independence and free institutions, we had first to spurn and trample under foot treaty stipulations and laws made by our own representatives, we should greatly hazard free institutions at home in the confidence and respect of our own people; that no government can or ought to exist for a moment after losing the power of executing its obligations to foreign countries, and of enforcing its own laws at home; that that power depended in a republic chiefly on the people themselves; that we had a treaty with England, binding us to the strictest observance of amity, or all the duties of good neighborhood with adjoining provinces, and also an act of Congress for enforcing those solemn obligations; that the treaty and the laws were as binding on the honor and the conscience of every American freeman, as if he had specially voted for each; that this

doctrine was of the very essence of a civilized republic, as the neglect of it could not fail to sink us into anarchy, barbarism, and universal contempt; that an aggressive war, waged by a part of the community, without just cause and without preparation, as is common among barbarian tribes, necessarily drags the non-consenting many along with the madness of the few, involving all alike in crime, disaster, and disgrace; that a war, to be successful, must be very differently commenced; and in these addresses he often concluded: "Fellow-citizens,—and I thank God, we have a common government as well as a common origin,—I stand before you without troops and without arms, save the blade by my side. I am, therefore, within your power. Some of you have known me in other scenes, and all of you know that I am ready to do what my country and what duty demands. I tell you, then, except it be over my body, you shall *not* pass this line—you shall *not* embark."

5. To the inquiry everywhere heard, "But what say you of the burning of the Caroline, and the murder of citizens at our own shore?"

6. In reply to these questions, Scott always frankly admitted that these acts constituted a national outrage,

and that they called for explanation and satisfaction; but that this whole subject was in the hands of the President, the official organ of the country, specially chosen by the people for national purposes; that there was no doubt the President would make the proper demand, and failing to obtain satisfaction, would lay the whole matter before Congress—the representative of the public will, and next to the people, the tribunal before which the ultimate appeal must be made.

7. These harangues were applauded, and were generally very successful. Masses of patriots broke off and returned to their respective homes, declaring, that if Scott had been accompanied by an army they would not have listened, but have fought him. The friends of order were also encouraged to come out in support of authority, and at length peace and quiet were restored.

8. In the first winter, one of those incidents occurred which make history dramatic, and which illustrate how much depends on individual men and single events. Many days after the destruction of the "Caroline," another steamer, the "Barcelona," was cut out of the ice in Buffalo Harbor (January, 1838), and taken down the Niagara River, to be offered, as was known,

to the patriots, who were still on Navy Island.* Scott wished to compel them to abandon their criminal enterprise. He also desired to have them, on returning within our jurisdiction, arrested by the marshal, who was always with him. For this purpose, he sent an agent to hire the Barcelona for the service of the United States, before the patriots could get the means to pay for her, or find sureties to indemnify the owners in case of capture or destruction by the British. He succeeded in all these objects. The Barcelona proceeded back to Buffalo, where Scott had immediate use for her on Lake Erie, yet navigable in all its length. The authorities on the Canada side were on the alert to destroy her.

9. As the Barcelona slowly ascended against the current on our side of Grand Island (belonging to the United States), three armed British schooners, besides batteries on the land, were in position, as the day before, to sink her as she came out from behind that island. On the 16th of January, Scott and Governor Marcy stood on the American shore opposite that point, watching events. The smoke of the approaching boat could be seen in the distance, and the purpose of the British was perfectly evident in all their movements.

* 53 Niles's Register, 387.

The batteries on our side were promptly put in position. The matches were lighted. All was ready to return the British fire. There was a crisis!

10. The day before this, when it was supposed the Navy Island people were coming up the same channel in other craft, and before it was known that the Barcelona had accepted his offered engagement, Scott wrote on his knee, and despatched by an aide-de-camp, the following note:

To the Commanding Officer of the Armed British Vessels in the Niagara.

HEADQUARTERS, EASTERN DIVISION
U. S. ARMY, TWO MILES BELOW
BLACK ROCK, *January* 15, 1838

11. SIR:

With his excellency the Governor of New York, who has troops at hand,* we are here to enforce the neutrality of the United States, and to protect our own soil or waters from violation. The proper civil officers

* These men were, in strictness, not yet under Scott's command, simply from the want of time to muster them into the service of the United States—a ceremony of some hours.

are also present to arrest, if practicable, the leaders of the expedition on foot against Upper Canada.

12. Under these circumstances, it gives me pain to perceive the armed vessels, mentioned, anchored in our waters, with the probable intention to fire upon that expedition moving in the same waters.

13. Unless the expedition should first attack—in which case we shall interfere—we shall be obliged to consider a discharge of shot or shell from or into our waters, from the armed schooners of her Majesty, as an act seriously compromising the neutrality of the two nations. I hope, therefore, that no such unpleasant incident may occur.

I have the honor to remain, etc., etc.,

WINFIELD SCOTT.

14. The same intimation was repeated and explained the next morning, January 16th, to a captain of the British army, who had occasion to wait upon Scott on other business, and who immediately returned. It was just then that the Barcelona moved up the current of the Niagara. The cannon on either shore were pointed, the matches lighted, and thousands stood in suspense. On the jutting pier of Black Rock, in view of

all, stood the tall form of Scott, in full uniform, watching the approaching boat. On Scott's note and his personal assurances, alone depended the question of PEACE OR WAR. Happily, these assurances had their just effect. The Barcelona passed along. The British did not fire. The matches were extinguished, and the two nations, guided by wise counsels, resumed their usual way.

(The fourteen *numbered* paragraphs immediately preceding, are quoted, omitting complimentary epithets, almost literally from Mansfield's *Life and Services* of the autobiographer, from whose copious notes—omitting those epithets of the partial editor—they had been copied, including the quotation from Byron.)

The frontiers being for the time quieted by the means narrated, by the thaw of the spring, and the return of the farming season of industry, Scott was called to Washington and ordered thence to the Southwest—charged with the delicate duty of removing the Cherokee Indians, under certain treaty stipulations, to their new country on the upper Arkansas River. This work unavoidably fell upon the military, and with *carte blanche*, from President Van Buren, under his sign manual—Mr. Secretary Poinsett being very ill—Scott

undertook the painful duty—with the firm resolve that it should be done judiciously, if possible, and, certainly, in mercy.

The number of volunteers called for by Scott's predecessor (Colonel Lindsay) in that special command, independent of a few regulars, was overwhelming. Hence resistance on the part of the Indians would have been madness. The Cherokees were an interesting people—the greater number Christians, and many as civilized as their neighbors of the white race. Between the two colors intermarriages had been frequent. They occupied a contiguous territory—healthy mountains, valleys, and plains lying in North Carolina, Georgia, Alabama, and Tennessee. Most of their leading men had received good educations, and possessed much ability. Some were quite wealthy in cultivated farms, good houses, cattle of every kind, and *negro slaves.* Gardens and orchards were seen everywhere, and the women graceful, with, in many cases, added beauty. Of course the mixed races are here particularly alluded to. The mountaineers were still wild men, but little on this side of their primordial condition.

The North Carolinians and Tennesseans were kindly disposed toward their red brethren. The Alabami-

ans much less so. The great difficulty was with the Georgians (more than half the army), between whom and the Cherokees there had been feuds and wars for many generations. The reciprocal hatred of the two races was probably never surpassed. Almost every Georgian, on leaving home, as well as after arrival at New Echota,—the centre of the most populous district of the Indian territory—vowed never to return without having killed at least one Indian. This ferocious language was the more remarkable as the great body of these citizens—perhaps, seven in ten—were professors of religion. The Methodist, Baptist, and other ministers of the Gospel of Mercy, had been extensively abroad among them; but the hereditary animosity alluded to caused the Georgians to forget, or, at least, to deny, that a Cherokee was a human being. It was, however, to that general religious feeling which Scott had witnessed in the Georgia troops, both in Florida and on the Chattahoochee in 1836, that he now meant to appeal, and on which he placed his hopes of avoiding murder and other atrocities. And as will be seen that blessed sentiment responded.

The autobiographer arrived at the Cherokee Agency, a small village on the Hiawassee, within the edge of

Tennessee, early in May, 1838, and published the subjoined addresses to the troops and Indians. Both were printed at the neighboring village, Athens, and to show singleness of feeling and policy, the two papers were very extensively circulated *together*, among all concerned.

Extracts from General Orders, or the Address to the Troops.

HEADQUARTERS, EASTERN DIVISION,
CHEROKEE AGENCY, *May* 17, 1838.

Considering the number and temper of the mass to be removed, together with the extent and fastnesses of the country occupied, it will readily occur that simple indiscretions, acts of harshness and cruelty on the part of our troops may lead, step by step, to delays, to impatience, and exasperation, and, in the end, to a general war and carnage—a result, *in the case of these particular Indians, utterly abhorrent to the generous sympathies of the whole American people.* Every possible kindness, compatible with the necessity of removal, must, therefore, be shown by the troops; and if, in the ranks, a despicable individual should be found capable

of inflicting a wanton injury or insult on any Cherokee man, woman, or child, it is hereby made the special duty of the nearest good officer or man instantly to interpose, and to seize and consign the guilty wretch to the severest penalty of the laws. The major-general is fully persuaded that this injunction will not be neglected by the brave men under his command, who cannot be otherwise than jealous of their own honor and that of their country.

"By early and persevering acts of kindness and humanity, it is impossible to doubt that the Indians may soon be induced to confide in the army, and, instead of fleeing to mountains and forests, flock to us for food and clothing. If, however, through false apprehensions, individuals, or a party here and there, should seek to hide themselves, they must be pursued and invited to surrender, but not fired upon, unless they should make a stand to resist. Even in such cases, mild remedies may sometimes better succeed than violence; and it cannot be doubted, if we get possession of the women and children first, or first capture the men, that, in either case, the outstanding members of the same families will readily come in on the assurance of forgiveness and kind treatment.

"Every captured man, as well as all who surrender themselves, must be disarmed, with the assurance that their weapons will be carefully preserved and restored at, or beyond the Mississippi. In either case, the men will be guarded and escorted, except it may be where their women and children are safely secured as hostages; but, in general, families in our possession will not be separated, unless it be to send men, as runners, to invite others to come in.

"It may happen that Indians will be found too sick, in the opinion of the nearest surgeon, to be removed to one of the dépôts indicated above. In every such case, one or more of the family or the friends of the sick person will be left in attendance, with ample subsistence and remedies, and the remainder of the family removed by the troops. Infants, superannuated persons, lunatics, and women in helpless condition, will all, in the removal, require peculiar attention, which the brave and humane will seek to adapt to the necessities of the several cases."

"*MAJOR-GENERAL SCOTT, of the United States' Army, sends to the Cherokee people remaining in North Carolina, Georgia, Tennessee, and Alabama this*

ADDRESS.

"Cherokees:—The President of the United States has sent me, with a powerful army, to cause you, in obedience to the treaty of 1835, to join that part of your people who are already established in prosperity on the other side of the Mississippi. Unhappily, the two years which were allowed for the purpose, you have suffered to pass away without following, and without making any preparation to follow, and now, or by the time that this solemn *address* shall reach your distant settlements, the emigration must be commenced in haste, but, I hope, without disorder. I have no power, by granting a farther delay, to correct the error that you have committed. The full moon of May is already on the wane, and before another shall have passed away, every Cherokee man, woman, and child, in those States, must be in motion to join their brethren in the far West.

"My friends—This is no sudden determination on the part of the President, whom you and I must now obey. By the treaty, the emigration was to have been completed on or before the 23d of this month, and the President has constantly kept you warned, during the two years allowed, through all his officers and agents in this country, that the treaty would be enforced.

"I am come to carry out that determination. My troops already occupy many positions in the country that you are to abandon, and thousands and thousands are approaching from every quarter, to render resistance and escape alike hopeless. All those troops, regular and militia, are your friends. Receive them and confide in them as such. Obey them when they tell you that you can remain no longer in this country. Soldiers are as kind-hearted as brave, and the desire of every one of us is to execute our painful duty in mercy. We are commanded by the President to act toward you in that spirit, and such is also the wish of the whole people of America.

"Chiefs, head men, and warriors—Will you then, by resistance, compel us to resort to arms? God forbid! Or will you, by flight, seek to hide yourselves in mountains and forests, and thus oblige us to hunt you

down? Remember that, in pursuit, it may be impossible to avoid conflicts. The blood of the white man, or the blood of the red man, may be spilt, and if spilt, however accidentally, it may be impossible for the discreet and humane among you, or among us, to prevent a general war and carnage. Think of this, my Cherokee brethren! I am an old warrior, and have been present at many a scene of slaughter; but spare me, I beseech you, the horror of witnessing the destruction of the Cherokees.

"Do not, I invite you, even wait for the close approach of the troops; but make such preparations for emigration as you can, and hasten to this place, to Ross's Landing, or to Gunter's Landing, where you will all be received in kindness by officers selected for the purpose. You will find food for all, and clothing for the destitute, at either of those places, and thence at your ease, and in comfort, be transported to your new homes according to the terms of the treaty.

"This is the address of a warrior to warriors. May his entreaties be kindly received, and may the God of both prosper the Americans and Cherokees, and preserve them long in peace and friendship with each other.

"WINFIELD SCOTT."

There was some delay in bringing in the mountaineers of North Carolina; but most of the people residing in Tennessee and Alabama were readily collected for emigration. Scott remained with the Georgians, and followed up his printed addresses by innumerable lessons and entreaties.

The latter troops commenced in their own State the collection of the Indians, with their movable effects, May 26. Scott looked on in painful anxiety. Food in abundance had been provided at the dépôts, and wagons accompanied every detachment of troops. The Georgians distinguished themselves by their humanity and tenderness. Before the first night thousands—men, women, and children—sick and well were brought in. Poor creatures! They had obstinately refused to prepare for the removal. Many arrived half-starved, but refused the food that was pressed upon them. At length, the children, with less pride, gave way, and next their parents. The Georgians were the waiters on the occasion—many of them with flowing tears. The autobiographer has never witnessed a scene of deeper pathos.

Some cheerfulness, after awhile, began to show itself, when, counting noses, one family found that a

child, another an aged aunt, etc., had been left behind. Instantly dozens of the volunteers asked for wagons, or saddle horses, with guides, to bring in the missing.

In a few days, without shedding a drop of blood, the Indians, with the exception of small fragments, were collected—those of North Carolina, Georgia, and Tennessee, at the Agency, in a camp twelve miles by four; well shaded, watered with perennial springs, and flanked by the Hiawassee. The *locale* was happily chosen, as a most distressing drought of some four months—counting from about the middle of June—came upon the whole Southwestern country, that stopped any movement to the West till November; for the Tennessee, Mississippi, and Arkansas Rivers ceased to be navigable by the beginning of July; and on the land route, to the Arkansas, there were many spaces of twenty, forty, and even sixty miles, without sufficient water for the inhabitants and their cattle. The other camps of emigration were also shaded and watered. Scott caused the few sick to be well attended by good physicians; all proper subjects to be vaccinated; rode through the principal camp almost daily, and having placed the emigration in the hands of the

Cherokee authorities themselves—after winning the confidence of all—was at liberty, at an early day, to the great benefit of the treasury, to send all the volunteers to their respective homes, except a single company. A regiment of regulars, to meet contingencies, was also retained. Two others were despatched to Florida and the Canada frontiers. The company of volunteers (Tennesseeans) were a body of respectable citizens, and under their judicious commander, Captain Robertson, of great value as a police force. The Cherokees were receiving from Government immense sums; as fast as decreed by a civil commission (then in session) in the way of damages and indemnities, which attracted swarms of gamblers, sleight-of-hand men, blacklegs, and other desperadoes. The camp was kept cleansed of all such vermin by the military police—a duty which, probably, would have been resisted if it had devolved on regular troops.

At length, late in October rain began to fall and the rivulets to flow. In a week or two, the rivers were again navigable. All were prepared for the exodus. Power had said:

"There lies your way, due West."

And a whole people now responded:

"Then Westward—ho!"

They took their way, if not rejoicing, at least in comfort.

"Some natural tears they dropt, but wiped them soon."

Many of the miseries of life they had experienced; but hope—a worldly, as well as a Christian's hope, cheered them on. Scott followed up the movement nearly to the junction of the Ohio and Mississippi, where he gave his parting blessing to a people who had long shared his affectionate cares. He has reason to believe that, on the whole, their condition has been improved by transportation.

In the foregoing labor of necessity—executed, it is felt, in mercy—the autobiographer was well supported by his Acting Inspector-General, Major M. M. Payne (subsequently Colonel), who, if living (January, 1864), is somewhere in Virginia, bedridden, from a wound received in one of General Taylor's battles on this side of the Rio Grande; by Captain Robert Anderson, Assistant Adjutant-General, since the hero of Fort Sumter, and a Brigadier-General of the army; by Lieu-

tenant E. D. Keyes, Aide-de-Camp, now Major-General United States' Volunteers; Lieutenant Francis Taylor, of the Commissariat, now long deceased; Captains Page and Hetzel, Quartermasters; Lieutenant H. L. Scott, since Aide-de-Camp and Inspector-General, then of the United States' 4th Infantry, and by Major H. B. Shaw, Extra Aide-de-Camp, Tennessee Volunteers, since a distinguished member of the Louisiana bar, residing in Corcordia and Natchez—besides Colonel William Lindsay, 2d Artillery, and Colonel William S. Foster, 4th Infantry. Colonel I. B. Crane, 1st Artillery, participated handsomely in the same service.

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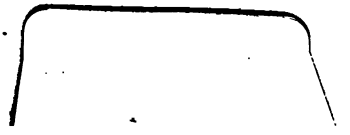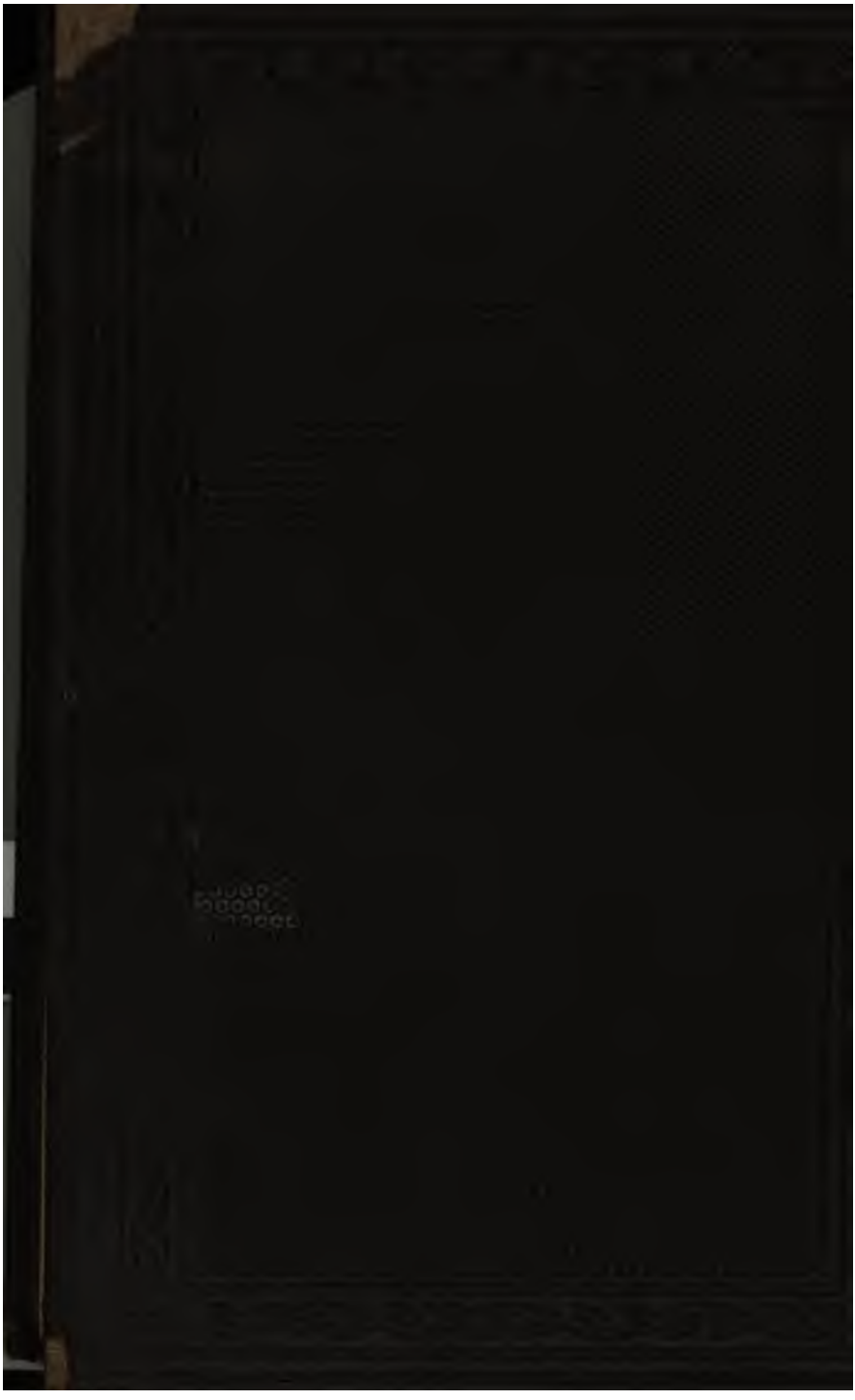
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